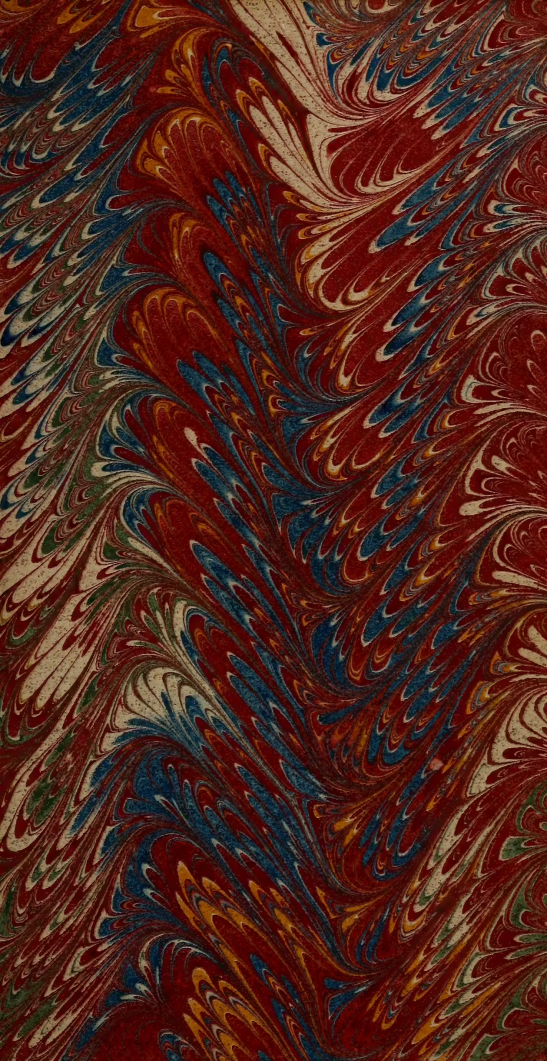

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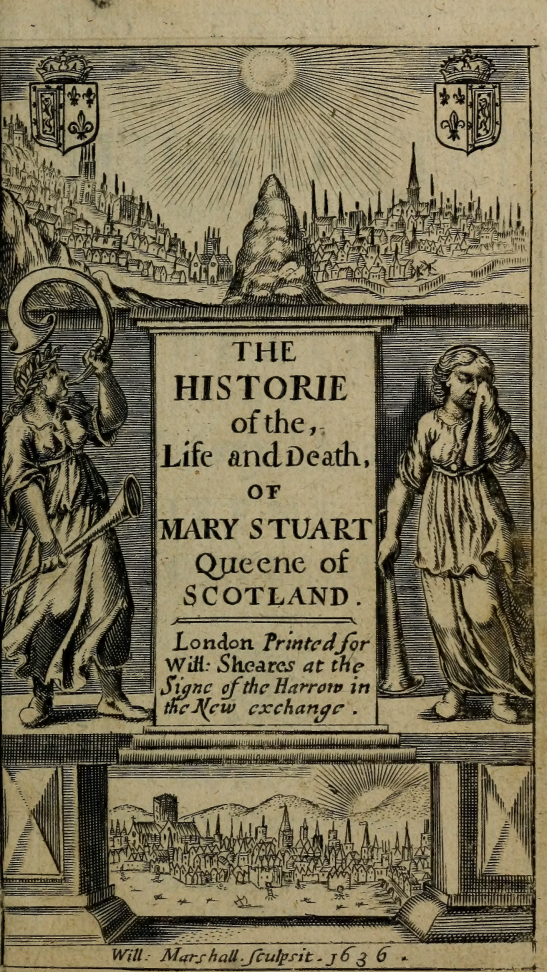
1047

Jn° 14 of March Anno Dom
1667.





The most excellent Princesse Mary Queene of Scotland and Dowager of France.


THE
HISTORIE
of the,
Life and Death,
OF
MARY STUART
Queene of
SCOTLAND.
London Printed for
Will: Sheares at the
Signe of the Harrow in
the New exchange.
Will: Marshall. sculpsit. 1636.

Page the 85 of the life &
and Raine of
Mary Stuart
Queene of Scott

Acc. 94-445

RB DA787.A2 H66

THE HISTORIE OF THE LIFE AND DEATH OF *Mary Stuart* QUEENE OF SCOTLAND.



LONDON,
Printed by *Iohn Haviland*, and are to be sold by *William Sheares* in *Britaines Burse* at the signe of the *Harrow*. 1636.

Acc. 24-445

TO THE KINGS MOST EXCELLENT MAJESTY.

Most Dread Soveraigne,

ZENO the Philosopher, being asked how a man might attaine wisdome, answered, By drawing neere unto the dead. O the Sepulchers of our Ancestors,

how much more do they teach than all the ſtudie, bookes, and precepts of the learned!

And herein due praiſe muſt needs be aſcribed unto Hiſtorie, the life of memorie, and the mirrour of mans life, making thoſe Heroick acts to live againe, which otherwiſe would be buried in eternall forgetfulneſſe, whereby the minde (a greedy Hunter after knowledge) is enflamed, by affecting the ſeverall perfections of others, to

ſeek

seek after excellēt things, and by fervent imitation to attaine to that glory which is gotten by vertue.

For these causes, (most renowned Soveraigne) when I considered *Plutarke*, laying aside the studie of Philosophie, to thinke the time well imployed in writing the lives of *Theseus*, of *Aristides*, and of other inferior persons; and knowing how farre the lustre and splendor of Princes shineth beyōd the bright-

neſſe of others; every one ſtanding for a million of the common people: And being ſenſible that it is infuſed even by nature, every man to deſire, and to be delighted with the relation and ſtory of his owne Anceſtors and predeceſſors:

For theſe reaſons I preſumed to preſent unto your Highneſſe this Treatiſe of the life and death of your Royall Mother, the Lady MARY STVART Queene of *Scotland*; A Hiſtorie moſt fit for this

this your *Meridian* of *Great Britaine*, and yet never publiſhed in the Engliſh tongue before: Wherein, although I confeſſe the ſlenderneſſe of my skill in the exornation & beautifying of the ſtile, and thereby may worthily incurre the reproofe of the learned: yet if your Majeſtie vouchſafe your gracious and Princely acceptation, all faults therein ſhall eaſily be covered and blotted out. Therefore I become your humble Oratour,

praying no other thing than the Sunne Diall of the Sunne, *Aſpice me ut aſpiciar:* moſt humbly beſeeching the Almightie to bleſſe your moſt Excellent Majeſtie, with a long, happie, and proſperous Reigne.

Your Sacred Majeſties

moſt humble Subject,

W. VDALL.

THE PREFACE TO THE ENSUING HISTORIE.

IT *is a thing most true, and some find it by experience, that here below in this world, there is nothing eternall: And how can it be otherwise, when the great Kings and Princes of the earth, who seeme to be created of the most pure substance of the Elements, of a master, as may be said, for their excellency incorruptible, of the fine gold of* Evilath, *and of the best mould, to the*

the patterne of the faireſt Ideas, *and beare and carry the Image and Seale of all puiſſance, as the chiefe impreſſion of natures worke, in the plaine greatneſſe of Majeſty, which engraveth their forehead with a gracious ſtatelineſſe. Yet doe we ſee them every day, who ſeeme unto men to be laſting and durable, as eternitie it ſelfe, to quit the arches of triumph, and to yeeld themſelves unto the triumph of death. And more than that, the moſt part of them finiſh their dayes, not in the ſweet and calme waters, like* Pourcontrells, *but by a death diſſeaſoned, ſometimes in their greene youth, and flouriſhing age, by the ſtormes and tempeſts, as doe the* Dolphins, *within the torrents, billowes, or waves of the Sea, toſſed by divers fictions. And it ſeemeth that this fatalitie*

pur-

purſueth ordinarily the moſt worthy and vertuous perſons: ſo that they finiſh their lives many times with violence or precipitation; and not to goe unto their death in a ſmooth path, but to be interrupted with ſome ſtrange accident, which eclipſeth the bright ſhining luſtre of their greatneſſe, which daſell the minds of men, that from below beheld them ſitting aloft on the throne of Majeſtie. All which appeared moſt plainly and evidently to be true in the moſt worthy and royall Princeſſe MARY STVART *Queene of* Scotland, *who in all her life being toſſed and turmoiled with infinite misfortunes, concluded it with an untimely death, as followeth in the ſequell of this Hiſtorie of her life and death.*

MARY STUART *Queene of* Scotland, *was daughter unto*

James

James *the fift, King of* Scotland, *a wise and valiant Prince, and of the Lady* MARY, *of the Illustrious family of the Dukes of* Lorraine, *(whose fame for valour is renowned thorow all Christendome,) was borne on the eighth day of December in the yeare of our Lord* 1541. *Shee was not above eight dayes old when her father died: being left thus young, the Noblemen of* Scotland *being divided (whereof the family of the* Hamiltons *and the Earle of* Lynnox *being the heads,) the one side supported by King* Henry *the eighth of* England, *and the other by the French K.* Henry *the second; she was by the care of her Mother, who inclined unto the* French *King, at the age of six yeares or thereabouts, sent into* France *in the Gallies of* Villagagnon, *a Knight of the* Rhodes

Rhodes *appointed by the* Frēch *King unto this ſervice, in the which voyage by the Weſt Seas (for in the other paſſage neere the Straits of* Calice, *the* Engliſhmen *had laid a ſtrong Navy to intercept her) ſhe hardly eſcaped drowning by meanes of a ſtorme or tempeſt that happened, neere unto the Coaſt of little* Britaine *in* France, *where ſhe afterward tooke land, from whence ſhe was conveyed unto the Court of* France, *where ſhe was brought up under her Curators the* Frēch *King and the Dukes of* Guiſe, *and by their exquiſite care ſhee drew in with the ayre the ſweetneſſe of the humours of the countrey, and in the end by the ſingular grace of nature, and carefulneſſe of her friends and kinsfolks, became with her age the faireſt & goodlieſt Princeſſe of our time.*

And

And beſide this her rare beautie, ſhe had her underſtanding and intendment ſo pure and perfect, her judgement ſo certaine, ſurmounting, and above the condition of her age and ſex, that it bred and cauſed in her a greatneſſe of courage, which was yet mixt and qualified with ſuch ſweetneſſe and modeſty, that you could not ſee any thing more Royall, any thing more gracious. Her manners and private actions were ſuch, and were ſo well liked of generally, that it cauſed King Henry *the ſecond of* France *and his Queene (who was admired for her prudence) to marry their eldeſt ſonne,* Daulphin *of* France *and heire of their Crown, unto this Lady, as unto one well deſerving to be joyned in marriage unto their ſonne, heire apparant of the greateſt Kingdome in* Europe:

Europe: *And so upon the foure and twentieth day of* Aprill, *in the yeare of our Lord* 1558. Francis *the* Daulphin *of* France *and* MARY STUART *Queene of* Scotland, *were married in the Church of* Nostra Dama *in* Paris. *One cannot declare with what applause of all the people, with what congratulation of all the neighbour Princes, with what Magnificence, this marriage was solemnized. By this her marriage her husband obtained not onely the Title of King of* Scotland *in the right of his wife, but also another more rich and great, which was, of the most contented Prince the earth then beheld, for that he was joyned in marriage with a Princesse who besides many other great vertues composed her selfe wholly to please and to give content unto her husband, and therin*

in uſed not the ordinary care of a Princeſſe, but more travell and ſollicitude than doe the women of meane condition and qualitie married unto great Princes, as alſo appeared after his death (which befell not long after) by her immeaſurable mourning, not being able to finde any conſolation for her ſorrow in that place where ſhee had loſt that which ſhee had loved better than her ſelfe, ſo much that the amitie of her kinsfolks and allies could not retaine her, nor the ſorrow and regret of all France *could not call her backe, nor the ſweetneſſe of that Court which invited her could not ſtay her, but that ſhee would depart from thence.*

After this on the ſeventeenth day of November *the ſame year deceaſed* Mary *of* England; *at which time the Parliament was holden*

holden at Westminster, *being certified of her death, with a universall consent, in regard of her most certaine right unto the Crowne of* England (*of the which none could doubt,*) *both the Prelates and Nobles with the Commons agreed to have the Lady* ELIZABETH *proclaimed Queene; which was done with the generall applause and consent of them and all the people.*

Queene ELIZABETH *being established and having taken order for things at home, and domesticall affaires, applied her minde next to settle her affaires abroad: For which end it was thought fit to send Embassadors unto Princes to signifie unto them the death of Queene* MARY, *and her succession unto the Kingdom: Vnto* Ferdinand *the Emperour was sent* Thomas Challenor *with*

with letters, wherein the Queene under her owne hand, certified him that her sister Queene MARY *was dead, and that she by the goodnesse of God was succeeded as her rightfull heire, and with the generall consent of her Subjects, in the government of the Realme; and that she desired nothing more, than that the ancient League and amitie betweene the families of* England *&* Austria *might not onely be conserved but also increased. Vnto the King of* Spaine, *being in his Low-Countries, was sent the Lord* Cobham *with instructions to the same purpose.*

King Philip *understanding the decease of Queen* MARY *his wife, fearing lest* England, Scotland, *and* Ireland, *should be adjoyned unto* France *by meanes of the Queene of* Scotland *her Title,*

delt

delt seriously with Queene ELIZABETH *by the* Conde *of* Feria, *whom he had sent before to visit his sicke wife, and the then Lady* ELIZABETH *also, about his marriage with her, promising to procure a dispensation for the same. This motion troubled her much, for to reject the most mightie King of* Europe (*having deserved well of her*) *& suing to her for marriage upon his own motion: This thing no lesse disquieted the* French *King, who was also fearfull that* England *&* Spain *should be conioyned againe in one by marriage; therefore he did all that was possible to be done at* Rome, *by the* Bishop *of* Angulesme, *that no such dispensation should be granted, but yet very secretly, lest he should provoke the* Englishmen *against him: but she put him off with a modest*

and

and ſhamefaſt anſwer. And when he ſaw that he could not obtaine his ſuit for himſelfe, and had alſo given it quite over, being agreed with the French *King to marry his daughter, yet that the Kingdome of* England *might be retained in his family ſtill, hee moved the Emperour* Ferdinand *to commend one of his ſonnes to be a ſuiter unto Queene* ELIZABETH, *which motion he willingly entertained, and for that purpoſe ſent unto her very loving letters, and by* Gaſpar Preynerus, *free Baron in* Stibing, *diligently followed and proſecuted the ſame, the King of* Spaine *himſelfe alſo, to bring it the ſooner to paſſe, and to further it, moſt courteouſly offering and promiſing unto Queene* ELIZABETH *his ſingular love, kindneſſe, and affection.*

THE

THE LIFE, DEATH, AND VARIABLE fortunes of the most gracious Queene, MARY STUART Queene of *Scotland*.

Anno 1559.

THe *French* King, *Henry* the second, for the benefit of his sonne the *Dolphin* King, and MARIE Queene of *Scots* (casting his eyes upon *England*) did not withdraw his *French* Souldiers out of *Scotland*, as he had pro-

promiſed, but ſent ſecretly more daily into *Scotland*, and dealt vehemently with the Pope, to pronounce Queene *Elizabeth* an Heretike, and illegitimate, which the Emperour and the King of *Spaine*, moſt diligently, but covertly, ſought to hinder: yet had the *Guiſes* drawne the *French* King into ſuch a ſweet hope of adjoyning *England* unto the Crowne of *France*, by the title of their Niece the Queene of *Scots*, that he openly claimed the ſame in the right of his ſonne and daughter in law: And commanded them, when he could not obtaine his purpoſe at *Rome*, to uſe this title in all their Letters patents; FRANCIS and MARIE by the grace of God, of *Scotland*, *England*, and *Ireland*, King and Queene, and cauſed the armes of *England*, together with the armes of *Scotland*, to be painted in the walls, buildings, and in the houſhold-ſtuffe: and alſo to be put into the Heralds coats. The *Engliſh* Amba-

Ambaſſador in vaine complained, that herein great wrong was done unto Queen *Elizabeth*, with whom he had made lately a league, and had not done this to Queene MARIE of *England*, who had proclaimed warre againſt him. But *Henries* ſudden death, which happened ſhortly after, made an end of his attempts.

But *Francis* the ſecond (who ſucceeded him) and *Mary* Queene of *Scots* his wife (by the counſell of the *Guiſes*, who were then of great authoritie in *France*) bore themſelves openly as Kings of *England* and *Ireland*, neither did they abſtaine from claiming the armes, but ſet them out more and more. And unto *Nicholas Throgmorton* the Lieger Ambaſſador, a man both wiſe and ſtout, it was firſt anſwered: That it was lawfull for the Queene of *Scots* to beare them with ſome little difference, to ſhew the neareneſſe of her bloud unto the royall line of *England*. He ſtifly

denied it, ſaying that by the Law of Armes, none who was not begot of the certaine Heire, might beare the armes of any family. Afterward they ſaid they bore the armes for no other cauſe, than to cauſe the Queene of *England* to abſtain from bearing the armes of *France*. Yet at length he obtained at the interceſſion of *Mont Morancy*, who loved not the *Guiſes*, that they left off the armes of *England* and *Ireland* altogether. But yet from this title and uſurpation of armes, which *Henrie* made the young Queene of *Scots* to take on her (moved thereto by the *Guiſes*) proceeded all the evils, which came ſo thicke upon her afterward, as from the originall cauſe. For from hence Queene *Elizabeth* was an open and profeſſed enemy to the *Guiſes*, and bare a ſecret hate againſt her, which the craftie malice of men did ſo nouriſh, the emulation increaſing betweene them, and new occaſions ariſing daily, that they could not be

ex-

extinguiſhed, but with her death.

Anno 1560.

THen followed the Treatie of *Edenburgh*, wherein amongſt many other things, it was agreed, that the King of *France* & Queene MARIE ſhould leave off the bearing of the title and armes of *England* and *Ireland:* but when the time of confirming the ſame came, and Queene *Elizabeth* ſent into *France* to have it ratified (as ſhee had done) *Throgmorton* the Leiger Embaſſador could not bring them to doe it by any meanes; and whileſt the matters hung in ſuſpence, and reſted vndetermined, *Francis* the ſecond, King of *France*, not being eighteene yeare old, and in the ſecond yeare of his reigne, deceaſed, and left the Queene of *Scots* a widow, whether to the greater griefe of the Romaniſts, or joy of the *Proteſtants* in *Britaine*, I cannot ſay.

Anno 1561.

FRANCIS Earle of *Bedford*, was ſent into *France*, to deplore the death of King *Francis*, and to gratulate *Charles* the ninth, his ſucceſſor, and by himſelfe, and together with *Throgmorton* the ordinary Embaſſador, he importuned the Queene of *Scots* to confirme the Treatie of *Edenburgh*, but in vaine, for ſhee anſwered no other thing, but that ſhee could not, nor would not determine on ſo great a matter, without the conſent of the Nobilitie of *Scotland*.

The Queene of *Scots* entending to returne into *Scotland*, ſent *Monſieur d'Oyſell* to requeſt a ſafe conduct of Queene *Elizabeth* for to paſſe by Sea, and for *d'Oyſell*, to paſſe thorow *England*. Queene *Elizabeth* before a great multitude of people, denied both the one, and the other, for this cauſe, ſhe ſaid that ſhe had not ratified the treatie of

of *Edenburgh*, which if she did, shee promised to shew all kindnesse that might be expected from a Queene, from a Cousin, and from a Neighbour. The Queene of *Scots* being vexed at this repulse, sent for *Throgmorton*, with whom shee had long speeches about this matter, which I will briefly set downe out of the Letters of *Throgmorton*, (though I shall make rehersall of some things already said) that the originall and progresse of the privie malice which was between the greatest and wisest Princesses of our time or age, may more evidently appeare. Shee sending all the standers by away, said thus to *Throgmorton*: What is my womanly weakenesse, and how farre the passion of my minde may carrie me, I know not, yet it liketh me not to have so many witnesses of my weakenesse, as your Lady lately had when shee talked with *Monsieur d'Oysell* my Embassador: nothing grieveth me so much as that I did

aske thoſe things which were not needfull: by Gods favour I can returne into my Countrie, without asking her leave, as I came hither in deſpight of her brother *Edward*. Neither want I friends which can and will bring me home, as they brought me hither; but I had rather have uſed her friendſhip, than of any other. I have often heard you ſay, that the amitie betweene her and me was neceſſary to both our Kingdomes, yet it ſeemeth that ſhee thinketh otherwiſe, or elſe ſhe had not given me the repulſe in ſo ſmall a matter: but perhaps ſhee beareth more favour unto the *Scots*, which rebell againſt me, than to me the Queene of *Scots*, equall to her in princely royaltie, her neareſt kinſwoman, and moſt certaine heire unto her. Doeſt thou thinke that that good will and love can be between my rebellious ſubjects and her, that may be betweene her and me? What? Doth ſhee thinke that I ſhall be deſtitute

of

offriends? Assuredly she hath driven me to aske helpe of them of whom I would not willingly. And they cannot wonder enough for what purpose shee gave ayd lately unto my subjects, and now to hinder the returne of me a widow unto my subjects. I aske nothing of her but amitie, I procure no trouble unto her, nor meddle not with the affaires of *England*. But yet I am not ignorant that there be many in *England* who are not content with the estate as it is now. Shee twitteth me, and saith, that I have small experience; I confesse it: Age bringeth experience with it; yet I am so old, that I can behave my selfe friendly, kindly, and justly toward my kinsfolkes and friends, and keepe my tongue from speaking any thing, not beseeming a Queene and a kinswoman. But by her leave, I may say, that as well as shee I am a Queene, neither destitute of friends, and to beare no lesse high minde than she,

and it may beſeeme us to meaſure our ſelves with a certaine equalitie: but I forbeare compariſon, which is litile better than contention, and wanteth not evill will. As for the treatie of *Edenburgh*, it was made in the life of the King my husband, whom it was my dutie to obey in all things, and ſince that he delaied the confirmation of the ſame, let the blame remaine in him, and not in me.

After his death, the Counſellors of *France* left me to mine owne Counſellors, neither would mine Vncles meddle with the affaires of *Scotland*, becauſe they would not offend Queene *Elizabeth*, nor the *Scots*. The *Scots* that be with me be private men, nor ſuch fit men that I ſhould aske counſell of them in ſuch great matters. As ſoone as I ſhall have the advice of the Eſtates of my Realme, I will make a reaſonable anſwer; and I will make all the haſte I can home, to give it the ſooner. But ſhee determineth to

ſtop

ſtop my way, leſt I ſhould give it, ſo ſhee is the cauſe that I cannot ſatisfie her; or elſe ſhee would not be ſatisfied perhaps, for the intent that there may be no end of diſcord betweene us. Shee caſteth often in my teeth, that I am a young girle, as a reproach, and truly ſhee may juſtly thinke me an unwiſe girle if I dealt in theſe weightie affaires, without the advice of the Eſtates. A wife is not bound, as I have heard, with the deeds of her huſband, neither in her honour, nor in conſcience: but I doe not diſpute this thing, yet I may ſay this thing truly; I have done nothing to my deareſt ſiſter, which I would not have done to my ſelfe; I have uſed all offices of courteſie and kindred, but ſhee either beleeveth not, or contemneth them: I would to God I were ſo deare to her as I am neare of bloud, for this were a pretious kind of kindred. God forgive them that ſow the ſeeds of diſſention betweene us (if there be any ſuch.)

But thou who art an Embaſſador, tell me in good ſooth, for what cauſe ſhee is ſo diſpleaſed with me, who never hurt her hitherto either in word or deed.

To theſe ſpeeches *Throgmorton* made anſwer: I have no commiſſion to anſwer you, but to heare what your anſwer is, about the confirmation of the treatie of *Edenburgh*. But if it pleaſe you to heare the cauſe of diſpleaſure, I will lay it downe in few words (laying aſide the perſon of an Embaſſador.) As ſoone as the Queene my Ladie and Miſtreſſe was crowned, you did uſurpe the title and armes of *England*, which you did not take in the reigne of Queene MARIE; Judge you in your diſcretion if a greater wrong can be offered unto a Prince: Such injuries as this, private men cannot digeſt, much leſſe Princes.

But, ſaid ſhe, my husbands father, and my husband himſelfe would have it done, and commanded

ded it to be so. After their decease, when I was at mine owne hand, I left off wholly both those armes, and the title, but yet I know not how it can be any wrong to the Queene, if I also a Queene, whose Grand-mother was eldest sister unto *Henry* the eight, doe beare these armes, since others farther off than I bore them: I am sure, *Courtney* Marquesse of *Exceter*, and the Duchesse of *Suffolke*, Niece unto *Henry* the eight, by his younger sister, did beare the armes of *England*, with borders for a difference, by a speciall favour.

When these things did not satisfie Queene *Elizabeth*, who was fully perswaded that she put in delaies still upon some more hopes, since shee had not proposed unto the Estates of *Scotland*, who had once or twice assembled since her husbands death, any thing about the confirmation of the Treatie; She being upon her way, sent for *Throgmorton* againe unto *Abbeville*, where

where ſhe courteouſly asked him, how ſhe might ſatisfie Queene *Elizabeth* in word or deed; he ſaid, by ratifying the treatie of *Edenburgh* (as I have often ſaid) unto whom ſhe ſaid: Now heare and judge, if there be not moſt juſt reaſons, which ſhe calleth delaies and vaine excuſes: The firſt Article in it, of ratifying the treatie of *Chaſteau Cambreſy*, betweene *England* and *France*, pertaineth nothing unto me. The ſecond, of ratifying the treatie betweene *England* and *Scotland*, was ratified by my husband and me; neither can it be ratified againe, when my husband is expreſſedly named in it. The Articles 3, 4, and 5. are already performed, for the preparations for warre are ceaſed. The *French* Souldiers are called backe out of *Scotland*, and the Fortreſſe of *Aymouth* is demoliſhed, I have not borne nor uſed the title nor armes of *England* ſince my husbands death. It is not in my power to put them out of the houſhold

houſhold ſtuffe, buildings, and Letters patents through *France*, as it is not in my power to ſend into *England* the Biſhop of *Valence* and *Randan*, who are not my ſubjects, to diſpute about the ſixth Article: And for the laſt Article, I hope my ſeditious ſubjects ſhall not have cauſe to complaine of my ſeveritie. But as I perceive, ſhee will prevent me by ſtopping my returne, that they ſhall not have triall of my clemencie: what remaineth now in this treatie, which may be wrong to the Queene? Yet that I may give her ſatisfaction more abundantly, I will write larger Letters of this buſineſſe with mine owne hand, though ſhee doth not vouchſafe to write backe vnto me, but by her Secretarie: But I pray you my Lord Embaſſador, doe the part of an Embaſſador, that is, rather mollifie than exaſperate the matter.

But yet Queene *Elizabeth* was not ſatisfied with theſe Letters, in whoſe minde the injurie for the u-

ſing

ſing of the armes and title of *England* was deeply imprinted, and ſtill ſhee was afraid, leſt ſhee ſhould challenge them againe, if ſhe were not bound and tyed thereto by the confirmation of the treatie and the religion of an oath.

In the meane while the Q. of *Scotland* getting a good gale of wind, departed from *Calice*, and in a foggie miſt paſſing by the *Engliſh* ſhips, which ſome thought were ſent to Sea to convey her with honour; others, to ſuppreſſe Pirates, and as others ſaid, to intercept and take her, arrived ſafe in *Scotland*: For *James* the Baſtard very lately returning by *England*, had ſecretly willed Queene *Elizabeth* to take her by the way, if ſhee had a deſire to provide for Religion, and her owne ſecuritie. And *Lidington* being glad that *d'Oyſell* was detained in *England*, perſwaded it alſo. Shee being returned into *Scotland*, uſed her ſubjects with all courteſie, changed not their

their Religion (though it had bin brought in by tumults) and began to settle the Common-wealth by enacting good Lawes: But unto Queene *Elizabeth* shee sent *Lidington* with her owne, and the Letters of the *Scottish* Nobilitie, in the which shee promised all care to make & conserve amitie with her; and requested that a certain forme of peace might be made betweene *England* & *Scotland*, and that there was none more certaine, than if Queene *Elizabeth* (if shee should have no issue) would declare her by the authoritie of Parliament, the next heire to succeed her in the Realme of *England*.

This thing seemed strange unto Queene *Elizabeth*, who looked for the confirmation of the treatie of *Edenburgh*, promised by word, and by her hand writing: yet shee answered; *As concerning the succession, shee hoped the Queene of Scotland would not by violence take her Crowne away from her and her children, if shee had*

had any: ſhee promiſed not to derogate any thing of her right unto the Crowne of England, *although ſhee had claimed the title & armes of* England, *through the too much haſtie ambition of other men, for which iniurie it was meet that ſhee made ſatisfaction. By ſetting downe her ſucceſſor, ſhee feared leſt their friendſhip ſhould be rather diſſevered than conſolidated, for that unto men eſtabliſhed in government, their ſucceſſors are alwayes ſuſpected and hated: the people, ſuch is their inconſtancie upon a diſlike of preſent things, doe looke after the riſing Sunne, and forſake the Sunne ſetting; and the ſucceſſors deſigned cannot keepe within the bounds of Iuſtice and truth, their owne hopes and other mens lewd deſires: Moreover, if ſhee ſhould confirme the ſucceſſion unto her, ſhee ſhould thereby cut off the hope of her owne ſecuritie, and being alive, hang her winding-ſheet before her owne eyes, yea, make her owne funerall feaſt alive, and ſee the ſame.*

After ſhee had anſwered theſe things

things thus, ſhee did againe, ſending her Letters unto her by *Peter Mewtas*, mildly will her to confirme the treatie. Neither did the other directly deny it, but insinuated, that ſhee could not doe it, untill ſhee had ſet the affaires of *Scotland* in good order.

Anno 1562.

Margaret Counteſſe of *Lynnox*, Niece to King *Henry* the eight by his eldeſt ſiſter, was delivered as priſoner to *Richard Sackvill*, and her husband the Earle of *Lennox* was aſſigned unto the Maſter of the Rolls in the like manner, for that he had ſecret intelligence by Letters, with the Queene of *Scots*, in which cuſtodie both of them were kept a good ſpace.

Not long after, *Henry Sidney* was ſent unto the Queene of *Scots*, whoſe meſſage was, that the enter-

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view which he had deſired to have with Queene *Elizabeth*, might be put off unto the next yeare, or untill the *French* warres were waxen colder.

At this time it was conſulted, whether it was for any good purpoſe, that theſe two Princeſſes ſhould come unto an enterview or conference: For, that the Queene of *Scotland* required it, bred a ſuſpition, that ſhee did it for ſome commoditie or benefit, and to eſpie ſome advantage, either to ſtrengthen her right in *England*, or elſe to give a hope, and erect the minds of the Papiſts in *England*, and her Couſens the *Guiſes* in *France*. On the other ſide, others thought hereby a moſt firme amitie might be concluded betweene them, the league betweene the *French* and the *Scots* weakened by little and little, and the Queene of *Scots* wonne by faire words unto the Religion of the Proteſtants. Others noted, that out of ſuch enter-

terviewes or conferences, grew the seeds rather of emulation, than of love, when one should hate and repine at the ostentation of the others braverie, wealth, and power, and for that many times the presence and view is not answerable unto report and opinion; and so of the comelinesse of the body, of the beautie of the face, and of the gifts of the minde: And that one might have cause and occasion to finde fault with the other. Neither did the Queene of *Scotland* thinke it safe to deliver her selfe into the hands of Queene *Elizabeth*, with whom shee had contended for the right of the Kingdome: It made her to stagger, and to doubt in the matter, and also to which side to incline and sway, when shee heard that Queene *Elizabeth* stood openly for the Protestants in *France*: whilest shee considered (as shee wrote her selfe) that shee came by her father from the *English* bloud, and by her mother from the *French*, that

that ſhee was crowned Queene, and Dowager of *France*, and the moſt rightfull Heire of *England*, and withall expected the Kingdome thereof: That ſhee was much indebted unto her Vncles in *France*, which had brought her up, and that ſhee much deſired the love of Queene *Elizabeth*.

Yet ſhee feared, ſuch was her piercing underſtanding, leſt if ſhee joyned her ſelfe with her in a very ſtrict kinde of amitie, ſhee might procure the evill will of the *French* King, be abandoned by her Vncles, and loſe her dowrie out of *France*, by preferring the uncertain friendſhip of Queene *Elizabeth* (which, to uſe her owne words, paſſed not beyond the perſon) before the certaine love of the *French*. Hereupon the conference (which had beene treated of many moneths, and the Articles alſo drawne) came to nothing, eſpecially when ſhee by her Letters did utterly refuſe to come unto the enterview, except ſhee might

might be designed heire apparant of *England* by authoritie of Parliament, or else be adopted by Queene *Elizabeth* to be her daughter, to lay a foundation of a most certaine peace and union of both the Realmes, so often desired. If these things were granted, shee promised to addict her selfe wholly to Queene *Elizabeth*, yea, and not to respect and regard her Vncles the *Guises*. Also in these Letters shee insinuated that shee urged these things the more vehemently, for that shee had heard that many did secretly devise to set in another successor, and that onely for the cause of Religion, though shee did tolerate in *Scotland* the Religion of the Protestants.

But when the Cardinall of *Lorraine*, at the same time dealt with the Emperour *Ferdinand*, that shee might marrie with his son *Charles* the Archduke, who then sued unto Q. *Elizabeth* for marriage; Queene *Elizabeth* threatned her by *Thomas Ran-*

Randolph, that if ſhee did conſent unto the Cardinall (the mortall enemy of *England*) about that marriage, both that the amitie between *England* and *Scotland* might be diſſolved, and perhaps ſhe excluded from her hope of the Realme of *England*: and if ſhe would not miſſe thereof, ſhe in friendly manner willed her to chooſe ſuch a husband in *England*, in whoſe choice ſhee might principally give her ſelfe content, and then give ſatisfaction to her owne Subjects, and alſo to the *Engliſh* men, in the conſervation of the peace, and make the way ſmoother and plainer vnto her aſſured ſucceſſion in *England*, which cannot be publiſhed and made knowne untill it was certainly knowne whom ſhee would take to her husband.

Anno 1563.

WHen in the heat of the civill warres of *France*, the Duke

Duke of *Guise*, Vncle unto the Q. of *Scotland*, was slaine, her dowrie out of *France* was not paid, *Hamilton* D. of *Chasteauleroy* was deprived of his Duchie, and the *Scots* were displaced from the Captainship of the Guard, which things she tooke in very evill part: The Cardinall of *Lorraine*, another of her Vncles, fearing lest hereupon shee leaving the *French*, should cleave unto the amitie of *England*, he proposed againe by *Crocus*, the marriage with *Charles d' Austria*, offering to her the Countie of *Tyrole* for her dowrie. Shee acquainted Queene *Elizabeth* with the matter, who by *Randolph* gave her those former admonitions about the choosing of a husband (as I have said before) and then in plainer termes commended *Robert Dudley* (whose wife being the heire of *Robsert*, was killed a good while since, by falling downe a paire of staires) and promised that if shee would marry him, she should be declared by the authoritie of Par-

Parliament, ſiſter, or daughter, and heire apparant of *England*, if ſhee died without iſſue. As ſoone as the Queene-mother and her Vncles heard this by *Foixius* the *French* Embaſſador in *England*, they did ſo diſdaine the marriage with *Dudley*, as altogether unequall and unworthy to match in a royall ſtocke and linage, as they promiſed not onely to pay her dowrie, but alſo to reſtore unto the *Scots* all their former liberties, and more large alſo, if ſhe would perſiſt firmely in the friendſhip of *France*, and refuſe the marriage offered unto her: and alſo they ſuggeſted and put in her head, that Queene *Elizabeth* did propoſe this marriage not ſeriouſly, but colourably, as though ſhee had aſſigned *Dudley* for her owne husband: And that there was no cauſe why ſhee ſhould put any truſt or confidence in the authoritie of a Parliament, ſince that in *England* one Parliament may repeale that which another hath enacted.

acted. Moreover, that the purposes of the *English* men were no other, but by one meanes or other to keepe her alwayes from marriage. But yet she referred this matter unto conference, being wonderfully vexed and troubled at home, when *Murrey* cast into prison the Archbishop of Saint *Andrewes*, because he abstained not from saying Masse, unto whom she hardly got pardon, with shedding of teares. And the hot spirited Ministers of the Church, bolstered by the authoritie of *Murrey*, offered violence (without any controlment) unto a Prieſt who had said Masse in the Court (which was permitted by the Law.) Neither was shee able to represse the tumultuous persons, though shee applied all her minde about the good of the Common-wealth, by granting a generall pardon, increasing the fees or wages of the Judges, by making wholsome Lawes, as making Adulterie to be death,

and ſitting her ſelfe in judgement, thereby to make by Law the higheſt equall with the loweſt.

Anno 1564.

IN this yeare Queene *Elizabeth* created *Robert Dudley* Maſter of her Horſe, a man in high favour with her, whom ſhe had in her ſecret purpoſe appointed husband for the Queene of *Scotland*, that he might be more worthy of that match; Baron of *Denbigh*, giving unto him *Denbigh*, with the demeſnes, and the next day Earle of *Leiceſter, to him and his heires males lawfully begotten:* For whoſe ſake alſo ſhee had before created his elder brother *Ambroſe* Baron *Liſle*, and Earle of *Warwicke*; *and to his heires males lawfully begotten, and to* Robert *his brother, and to his heires males of his body lawfully begotten.* *Dudley* advanced to theſe honours, to purchaſe favour and grace with the

the Queen of *Scotland*, unto whom he made suit in marriage, studied with all kinde of offices to deserve well of her, and forthwith accused *Bacon* keeper of the great Seale, unto the Queene, that he had dealt in the matter of succession against the Queene of *Scotland*, and that he was privie and accessary unto a Pamphlet made by one *Hales*, who endevoured to prove the right of the Crowne of *England*, to belong unto the familie of *Suffolke*, if the Queene died without Heire: for the which he had beene put in Prison; but *Bacon* (though he denied the same) was with much adoe, and after a long time restored unto the Queenes favour by *Cecill*, who kept his owne judgement in this point secret to himselfe, and alwaies determined so to doe, unlesse the Queene (as he would say) commanded him to speake his minde, for she could not endure of all things to have the right of succession called into question and

diſpute: but the wiſer and the richer men, were troubled with nothing more, whileſt in the controverſie of Religion the hot Proteſtants thought the Q. of *Scotland* was to be put by, and rejected, becauſe ſhee was of another Religion, though her right was undoubted (out of ſome querks & words of their Law bookes.) Some of the Romaniſts, and moſt that regarded equitie and juſtice, thought ſhee was to be received, as the true and certaine Heire by the Law. And many preferred *Margaret*, Aunt to the Queene of *Scotland*, the wife of *Matthew Stewart* Earle of *Lennox*, and her children, as thoſe of whom they hoped the beſt, as borne in *England*. Theſe things were not unknowne unto the Q. of *Scotland*, who to prevent it as much as ſhee could, by the advice of the Counteſſe of *Lennox* her Aunt, ſent for *Matthew* Earle of *Lennox*, to come into *Scotland*, under pretence to reſtore him into his ancient

ent Patrimonie, but indeed to aske him counsell in these affaires, who by his wives meanes, obtained leave, and also Letters of commendations from Queene *Elizabeth*, after he had beene banished from his native Country now full twentie yeares.

He (for I will for more perspicuitie and light to the matter, rehearse the same somewhat higher) was borne of the same stocke of the *Stewarts*, as the royall familie of the *Scots* was: For *Mary* daughter unto *James* the second, King of *Scotland*, bore unto *James Hamilton*, *James* the first of this stocke, Earle of *Arran*, and *Marie* his daughter, wife unto *Matthew Stewart* Earle of *Lennox*, the first of this Christian name. *James* Earle of *Arran*, his first wife being divorced, and yet living, married *Jenet Beton*, Aunt to Cardinall *Beton*, by whom he had *James* D. of *Chasteauleroy*, whom his adversaries hereupon accounted a Bastard.

Marie ſiſter to the Earle of *Arran*, bore unto *Matthew*, *John* Earle of *Lennox*, who being ſlaine by the *Hamiltons*, at ſuch time as he would have reſtored *Iames* the fourth to his libertïe, left this ſecond *Matthew Stewart* (of whom we ſpeake) Earle of *Lennox*, moſt deare to *Iames* the fift, in regard of his father. But *Matthew* (the King being dead, and the *Hamiltons* having all the government in their power) departed ſecretly into *France*, from whence he was ſent by *Henry* the ſecond, the *French* King, to ſee that the Common-wealth of *Scotland* tooke no harme by *Hamilton* the Regent; and herein he behaved himſelfe worthily: but being a plaine and honeſt minded man, (and entangled by the craft and policie of Cardinall *Beton*, and *Hamilton*,) he fell out of the favour of the *French* King in a ſhort time: And when he could neither tarrie at home, nor returne into *France*, he came into *England* and ſubmitted

ted himselfe to King *Henry* the eighth, who accepted him as a man well beloved in the West borders, and acknowledged him as next heire to the Crowne of *Scotland*, after MARIE then an infant, (though the *Hamiltons* confiscated all his possessions, as of a Traytor condemned) and married him unto the Lady *Margaret Douglas* his Niece, by his eldest sister, giving him lands in *England*, worth yearly of the old rent 1700. Marks, he promising for his part, to deliver into the hands of the King of *England*, the Castles of *Dunbritton*, the Ile of *Butha*, and the Castle of *Rothsay*, which peeces being courragiously and valiantly attempted, could not yet be gotten.

This man, the Queene of *Scotland* (a woman prudent and circumspect, and who applied all her studies upon the hopes of *England*) sent for to come into *Scotland* (as I have said) pardoned his banishment, restored him unto his

ancient poſſeſſions, as well that ſhe might oppoſe him againſt the attempts of *Iames* the Baſtard, as alſo to put other folkes out of hope of the ſucceſſion of *England*, by his ſonne, *Henry Darly*. For if that young man borne of the royall bloud in *England*, and well beloved of the *Engliſh* Nation, ſhould marrie with ſome of the great families of *England*, ſhee ſecretly to her ſelfe feared, that he bolſtered up with the power of *England*, might be a blocke in her way, in the right of her ſucceſſion in *England*, ſince he was accounted in moſt mens opinion, the ſecond heire of the Crowne of *England* after her: and there was nothing ſhee more wiſhed, than that the Realmes of *England* and *Scotland* might divolve by her meanes unto ſome of the *Scottiſh* race, and by him might be propagated unto poſteritie, in the ancient ſurname of the *Stewarts*.

This came to the knowledge of Queene

Queene *Elizabeth*, and to prevent her purpose, shee declared unto her by *Randolph*, that that marriage was so universally disallowed by the *English* men, that shee adjourned the Parliament against the will of her Councell untill another time, lest the Estates, moved unto wrath for this cause, should make some act against her right in succession: which lest it should afterward come to passe, shee willed her not to doe so, but to give satisfaction unto the *English* men, by thinking upon some other match. And now againe shee commended *Leicester*, (whom shee had advanced unto the degree of an Earle, and especially for that cause) with more earnestnesse, to be her husband.

Upon this occasion at *Barwicke*, in the moneth of November, there talked together about the marriage with *Leicester*, the Earle of *Bedford* and *Randolph*, and for her were *Murrey* and *Lidington* Commissioners.

ners. The *Engliſh* men promiſed firme amitie, perpetuall peace, and certaine hope of the ſucceſſion, if ſhee would marrie with *Leiceſter*, for upon this condition, Queene *Elizabeth* had promiſed to declare her daughter adoptive, or ſiſter by authoritie of Parliament. The *Scots* ſtood hard to it, that it was not for the dignitie of a Queene deſired for wife by *Charles* the ſon of the Emperour *Ferdinand*, the King of *France*, the Prince of *Condy*, and the Duke of *Ferrara*, to abaſe her ſelfe unto the marriage of a new-made Earle, and a ſubject of *England*, upon a hope onely, and no dowrie being offered, ſaying alſo it was neither honourable unto the Queene of *England*, to commend ſo meane a husband to ſo great a Princeſſe, her next kinſwoman; but that this ſhould be a moſt certaine argument of love, if ſhee would permit her at her owne choice to elect her ſelfe a husband, who ſhall keepe peace with *England*,

land, and withall assigne a good annuitie unto her, and confirme the right of succession by the authoritie of Parliament. In all this businesse Queene *Elizabeth* earnestly desired, that the succession of both the Kingdomes might be established in the *English* Nation, though shee was slow in the same. The Queene of *Scotland* (when the matter had hung thus in talke for the space of two yeares) now determined to take *Darly* unto her husband, did suspect that Queene *Elizabeth* did not deale sincerely with her, but that shee did propound this marriage for no other end and purpose, but that shee might make the first choice of the best suiter or wooer for her selfe, or else might marrie with better excuse unto *Leicester*. But the *Scottish* Delegates looking also for their owne purposes, determined by one way or other to thrust some obstacle or other in any marriage, that they might retaine still their autho-

authoritie with the Queene. Queene *Elizabeth* had willed the Commiſſioners to hinder the marriage with *Darly*; and *Leiceſter* himſelfe, accounting himſelfe moſt ſure of Queene *Elizabeth*, willed *Bedford* ſecretly by his Letters, not to urge the matter much. And upon this hope it is thought he favoured *Darly* in ſecret.

Anno 1565.

IN the meane time, *Darly* got leave with much adoe to goe into *Scotland*, and to ſtay there three moneths, by the earneſt and humble ſuit his mother made unto Queene *Elizabeth*, under the colour, that he might be preſent at the reſtoring of his father: and ſo he came unto *Edenburgh*, in the moneth of Februarie. He was a young man, of perſonage moſt worthy of an Empire, of a comely ſtature, of a moſt milde nature, an

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ſweet behaviour. As ſoone as the Queene of *Scotland* ſaw him, ſhee fell in love with him, and to cover her love ſhee talked now and then with *Randolph* the *Engliſh* Embaſſador in *Scotland*, about the marriage with *Leiceſter*, and at the ſame time ſent to *Rome*, for a diſpenſation, becauſe *Darly* and ſhee were ſo neare of kinne, that a diſpenſation was neceſſary by the Canon Lawes. But when theſe things came to light, ſhee ſent *Lidington* unto Queene *Elizabeth*, that ſhee might marrie with *Darly* by her conſent, and not be kept any longer unmarried upon vaine expectations. Queene *Elizabeth* propounded the matter to her privie Councell, who out of the ſecret ſuggeſtions of *Murrey*, eaſily beleeved, that the purpoſe of the Queene of *Scotland* tended by this marriage to ſtrengthen, and againe to claime the title, and her right unto the Realme of *England*, and withall to deduce it unto the Romane Religion againe,

gaine, and that many would incline unto them, upon the certaintie of their ſucceſſion comming of this marriage, and others out of the love unto the Romane Religion, and foraſmuch as they underſtood, that moſt of the Juſtices of Peace were addicted unto it. To preuent theſe things, they thought it moſt neceſſarie, firſt to win the Queenes good will, to marry ſpeedily ſome husband, that out of the certaintie of ſucceſſion by her and her iſſue, and from none other, the affaires and hopes of *Engliſh* men might depend, for they feared that if the Queene of *Scotland* married firſt, and had iſſue, the moſt of the people would incline and bend toward her ſide, becauſe of the certaintie of the ſecceſſion and ſecuritie. Secondly, that the profeſſion of the Romane Religion ſhould be infringed, or weakened, as much as might be: and that of the reformed, diligently advanced and eſtabliſhed; this by dealing more

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moderately with some hot spirited Protestants about things indifferent; and the other, by calling in the deprived Bishops unto their prisons (for they had beene dispersed into the Countries in the time of the great plague) by giving unto the Bishops more ample authoritie, to exercise the Ecclesiasticall Lawes against that terrifying bugge of the Premunire, (which the Lawyers objected against them) by suppressing bookes comming from the Low-countries into *England*, set out by *Harding*, and the Divines that were fled over the Seas, by remooving away certaine *Scottish* Priests that lurked in *England*; by depriving the *English* fugitives of their Ecclesiasticall livings, which they enjoyed untill this time; by compelling the Judges of the land, who for the most part were Papists, to take the oath of Supremacie. But to disturbe the marriage with *Darly*, it was thought best to put them in feare,

feare, by muſtering Souldiers upon the borders toward *Scotland*, and by putting a greater Garriſon into *Barwicke*: that the Counteſſe of *Lennox* mother to *Darly*, and *Charles* her ſonne ſhould be committed unto Priſon: the Earle of *Lennox*, and *Darly* his ſonne, ſhould be recalled out of *Scotland*, upon paine to forfeit all their goods, before that any league could be made by them with the Kings of *France*, or *Spaine*: that the *Scots* enemies to the marriage, ſhould be maintained, and *Catharine Gray*, with the Earle of *Hertfort*, ſhould be received into ſome favour, of whom as of her competitor in the ſucceſſion of the Kingdome, ſhee ſeemed ſomewhat to bee afraid. And this was all that they could deviſe to hinder the marriage.

Hereupon *Nicholas Throgmorton* is ſent unto the Queene of *Scotland*; who ſhould advi e her to deliberate long on that which was to be done but once, that repentance

alwayes

alwayes followed haſtie marriage, and to commend inſtantly the marriage with *Leiceſter*, and that the marriage with her Aunts ſonne was contrary unto the Canon law: for Queene *Elizabeth* very much deſired, that by her, ſome of the *Engliſh* Nation might ſucceed in both the Realmes: although ſome men there were, that thought it would be the beſt for Religion, and both the Realmes, if ſhee died without iſſue. Shee anſwered, the matter could not be recalled, and that Queen *Elizabeth* had no cauſe to be angry, when according to her conſell, ſhee had choſen not a ſtranger but an *Engliſh* man, and one borne of the royall bloud of both the Kingdomes, and the nobleſt man of birth of all *Brittaine*. *Lidington* lying in *England*, did often propoſe the marriage of the Queene of *Scotland* unto *Leiceſter* colourably, and alſo to the D. of *Norfolke*, as to one more worthy of a Princeſſes marriage, who at that time

time put off the ſame with a modeſt refuſall.

The Queene of *England*, to interpoſe ſome impediment unto this haſtened marriage, called back *Lennox* and *Darly*, as her ſubjects, according to the times expreſſed in their Licence. The father excuſed himſelfe moſt modeſtly in his Letters: the ſonne deſired that ſhe would not be againſt his preferment, and inſinuated, that it may be that he may be profitable to his deare Countrie of *England*: and openly profeſſed himſelfe a lover and honourer of the Queene of *Scotland* above all others, who to give correſpondencie to his love, firſt made him Knight, and afterward Lord *Ardmanoch*, Earle of *Roſſe*, and Duke of *Rothſay*, and the fift moneth after his comming into *Scotland*, tooke him to her huſband, with the conſent of the moſt of the Noble men, and proclaimed him King. *Murrey*, who applied all his wit to his owne private ambition

bition (and under the goodly pretence of Religion) had drawne in the Duke of *Chasteauleroy*, an honest minded man, unto his side, fretting, & others raising tumults, and arguing these questions:

Whether a Papist was to be received to be their King?

Whether the Queene of Scotland *might choose her selfe a husband at her owne election?*

Whether the Noblemen of the Land, might not by their authoritie appoint her a husband?

The Queene of *England*, who knew the milde nature of *Darly*, and the plaine and honest minde of the father, taking compassion of the young man her Cousin, and of the Queene a young woman also, who had to deale with most turbulent persons, who being above this twentie yeares loosed from the government of Kings, could not now endure any Kings, tooke it more quietly.

Neither

Neither had ſhee any feare of them, when ſhe ſaw the power of the Queene her adverſarie not increaſed by that meane match, and had the mother of *Darly* in her hand: and foreſaw, that troubles would ariſe hereupon in *Scotland*, which began incontinently: for many Noblemen of *Scotland*, as *Hamilton* and *Murrey*, chafing and fretting at the marriage, this man for that the marriage was made without the conſent of the Queene of *England*, the other upon a ſpight or privie malice againſt the familie of *Lennox*, but both of them under the pretext of the conſervation of Religion, diſplayed their banners in manner of warre, to diſturbe the marriage, ſo that the Queene was of neceſſitie enforced to levie forces, that the marriage might be celebrated with ſecuritie: and then ſhee did ſo fiercely purſue the rebels, by the helpe of the King her husband, that ſhee made them flie into *England*, before the bands of

Engliſh

Englisſh men, promiſed to them, could come; but the Queene of *England* did covertly grant a lurking place vnto *Murrey*, who was wholly addicted unto the *Engliſh*, and ſecretly maintained him with money by *Bedford*, untill he returned into *Scotland*, which was the day after the murder of *David Rizius*. The cauſes which Queene *Elizabeth* alleaged, why ſhee admitted *Murrey*, and the *Scottiſh* rebels into *England*, were, for that the Queene of *Scotland* had received *Yaxley*, *Standen*, and *Welſh*, *Engliſh* fugitives, into *Scotland*, and received *O-Neale*, a great man of *Ireland*, into her protection, had intelligence with the Pope againſt *England*, and had not done juſtice on the theeves on the borders, and on Pirates.

Queene *Elizabeth* not forgetfull of the *Scottiſh* affaires, a mone h or two after the marriage, ſent *Tamworth*, a Gentleman of her privie *Chamber*, unto the Q eene of *Scotland*,

Lnd, to warne her not to violate the peace, and to expoſtulate with her, for her haſtie marriage with the native ſubject of *England*, without her conſent, and withall, to requeſt that *Lennox* and *Darly* might be ſent backe into *England*, according to the league, and that *Murrey* might be received againe into favour. Shee ſmelling his arrand, admitted him not to her preſence, but in Articles delivered in writing, *promiſed in the word of a Prince, that neither ſhe nor her husband would attempt any thing to wrong the Queene of* England, *or her children lawfully begotten, or the quiet of the Realme, either by receiving fugitives, or by making league with ſtrangers, or by any other meanes; yea, moſt willingly that they would make ſuch league with the Queene and Realme of* England, *which might be profitable and honourable for both the Realmes, neither that they would innovate any thing in the Religion, Lawes, and liberties of* England, *if at any time they ſhould poſſeſſe*

the

the Kingdome of England; *yet upon this condition, that* Queene Elizabeth *would fully performe this thing on her part toward her and her husband:* viz. *by Parliament eſtabliſh the ſucceſſion of the Crowne of* England *in her perſon, and her lawfull iſſue, and if that failed, in* Margaret *Counteſſe of* Lennox, *her husbands mother, and her children lawfully begotten.* As for the other things, ſhee anſwered: *That ſhee had acquainted the Queene with her marriage with* Darly *(as ſoone as ſhee was fully determined to marrie him) and had received no anſwer from her: That ſhee had ſatisfied the Queenes demands, for as much as ſhee had not married a ſtranger, but an Engliſh man borne, who was the nobleſt in birth, and moſt worthieſt of her in all* Britaine *that ſhee knew: But it ſeemed ſtrange, that ſhee might not keepe with her* Darly, *whom ſhee had married, or not keepe* Lennox *in* Scotland, *who was a Native Earle of* Scotland. *As for* Murrey, *whom ſhee had tryed to be her mortall enemie, ſhee*

in

in faire words beſought her to leave her ſubjects unto her owne diſcretion, ſince that ſhee did not intermeddle in the cauſes of the ſubjects of England. With this anſwer *Tamworth* returned not reſpected (as he thought) according to his eſtate and place (for to ſay the truth, the malapert fellow had touched the reputation and credit of the Queene of *Scotland*, with I know not what ſlander, and had not vouchſafed to give her husbād the title of King.)

Anno 1566.

IN June the Queene of *Scotland* in a happie houre, and to the perpetuall felicitie of *Britaine*, was delivered of her ſonne JAMES (who is now the Monarch of *Britaine*) which ſhee ſignified forthwith unto Queene *Elizabeth* by *James Meluin*. Who although ſhe was grieved at the heart, that the honour

honour to be a mother was borne away before her by her adversarie, yet she sent *Henry Killigrew* incontinently to congratulate with her for her safe deliverance, and the birth of a sonne: And to will her not to favour any more *Shane O-Neale*, then rebelling in *Ireland*, nor to entertaine *Christopher Rokesby* fled out of *England*, and to punish certaine theeves vpon the borders.

Shortly after the estates of the Realme in the Parliament holden at *London*, moved the Queene earnestly to marry, and to set downe and nominate her successor: but she by no meanes could be drawne to it. Yet that it might appeare to the world, whom shee thought most rightfull successor, shee cast into prison *Thornton* the Reader of the Law, at Lincolnes Inne in *London*, at that time, of whom the Queene of *Scotland* had complained, that he in his reading had called into question, & made a doubt

of the right of her ſucceſſion.

The time being come for the baptizing of the Prince of *Scotland*, the Queene of *England* being requeſted to be God-mother, ſent the Earle of *Bedford* with a Font of maſſie gold for a gift, and commanded expreſly, that neither he nor any *Engliſh* men that accompanied him, ſhould vouchſafe to call *Darly* by the name of King.

That Ceremonie being finiſhed, the Earle of *Bedford* dealt with the Queene of *Scotland* about other things contained in his commiſſion: that is to wit, That the domeſticall contentions betweene her and her husband might be compounded (for ſome malicious ſworne enemies to them both, had craftily broken aſunder that moſt pleaſant ſocietie of life and love betweene them) and the treatie of *Edenburgh* ratified. This laſt thing ſhe utterly denied, alleaging, that in the treatie was much matter that might impeach and derogate from her

her owne and her childrens right unto the Crowne of *England*. Yet ſhee promiſed to ſend Commiſſioners into *England*, who ſhould talke about the confirmation thereof, changing ſome words, namely, that ſhee ſhould forbeare to uſe the title and armes of *England*, whileſt Queene *Elizabeth* lived, and her children: As though it were meant in the treatie, that ſhee ſhould forbeare to uſe them for ever. And alſo ſhould declare unto her, how injuriouſly ſhee was uſed by their villanous devices, that abuſed the ſimplicitie and credulitie of her husband, more than was to be ſuffered. And now ſhee being ſickly and weake, in her letters commended her yong ſonne unto the fidelitie and protection of Queene *Elizabeth*: in which letters (*though ſhe knew*, I uſe the words of the letters, *that ſhe is the undoubted right-full heire of* England, *after Queene* Elizabeth; *and that many imagine and deviſe ſundry things againſt that right*)

ſhee promiſed that ſhee would not urge any more any declaration of her right, but that ſhee will helpe, aſſiſt, and cleave unto her alwayes with all her power, againſt all perſons.

Anno 1567.

BUt before thoſe Commiſſioners came from the Queene of *Scotland*, and a moneth or two after the Prince was Chriſtened; the King her husband in the one and twentieth yeare of his age, in the dead time of the night, by a hatefull and abominable *villanie* (which all good men do deteſt) was ſtrangled in his bed, and caſt into a garden, and the houſe blowne up with Gun-powder. A rumour forthwith was divulged in all *Britaine*, and the fault laid upon *Mourton*, *Murrey*, and their confederates. And they inſulting upon the weakneſſe of

of her sex, laid it from themselves upon the Queene. What *George Buchanan* hath written hereof, as well in his Historie, as in a Pamphlet called the *Detection*, is known to all men by those printed bookes. But since hee, carried away with partiall affection, & with the gifts of *Murrey*, wrote in that manner, those bookes were condemned of falshood, by the Estates of the Realme of *Scotland*, unto whom more credit is to be given: And he himselfe lamented & bewailed unto the King (whose Schoole-master he was) reproving himselfe oftentimes (as I have heard) that he had written so spightfully against the well-deserving Queene: And at his death, wished that he might have lived so long, untill he might wipe out with a recantation, or with his bloud, the spots & staines he had falsly laid on her. But that (as he said) would be to no purpose, since he should seeme to doat for old age. Let it be lawfull

full for me (that the other part may alſo be heard) in few words to lay open all the matter as much as I can underſtand without any hate or love, as well out of the writings of other men which were ſet forth at that time, but ſuppreſſed in favour of *Murrey*, and upon hatred unto the Queene Captive in *England*, as alſo out of the Letters of Embaſſadors, and of men of good credit.

In the yeare of our Lord one thouſand five hundred fiftie and eight, at the marriage of *Francis* the *Dolphin*, and of MARY Queene of *Scotland*, *James* the Queenes Baſtard-brother, commonly called the *Prior* of Saint *Andrewes*, diſdaining that religious appellation, ſued for a more honourable title: which when ſhee, by the advice of the *Guiſes* her Vncles, would not grant, he returned into *Scotland* much offended, and began to make broiles under a goodly pretence of the reformation of Religion,

ligion, and assuring the libertie of *Scotland*; and effected it so farre, that Religion was changed in an assembly of the Cõfederates, without the Queenes privitie: And the *French* men were removed out of *Scotland* by the helpe of the *English* men they had brought in: *Francis* the King of *France* being deceased, he poasted into *France*, unto his sister, and laying from himselfe whatsoever had beene done in *Scotland* against her profit or credit, calling God to witnesse, solemnly promised to doe all the kind offices which a sister could expect at the hands of a brother. And conceiving also a hope, that she being bred up from her tender yeares in the delights of *France*, would not returne into *Scotland*, dealt with the *Guises*, that some one of the *Scottish* Nobility might be named Regent of *Scotland*, and as with his finger, shewed himselfe as the fittest man. But when he was sent backe into *Scotland*, with

no other authoritie, but onely with Letters Patents, wherein the Queene gave authoritie to assemble the Nobilitie, and to advise and conferre about the good of the Common-wealth; he being dejected and frustrate of his hope, returning thorow *England*, in a rage and fury put into their heads, that if they desired or had a care of the preservation of Religion in *Scotland*, the tranquillitie of *England*, and securitie of Queene *Elizabeth*, they should hinder the returne of the Queene of *Scotland* into *Scotland*, by one meanes or other. Yet shee arrived safe in *Scotland*, passing by the *English* Fleet in a thicke mist, and using her brother with all courtesie, commended the government of all the affaires into his hands.

Yet these things did not cut off the branches of his ambition, which daily sprang out, both in words and deeds: For neither could he containe himselfe, but that

that oftentimes amongst his friends he would lament, that the warlike *Scottish* Nation, no lesse than that of the *English* men, was subjected to the government of a woman, and out of the doctrine of *Knox* (whom he accounted as a Patriarke) hee would often discourse that Kingdomes were due unto vertue, not unto kindred: That women were to be excluded from the succession of Kingdomes; and that their Rule was monstrous. He dealt also with the Queene by his friends, that she would substitute some out of the familie of the *Stewarts*, who if she died without issue, should succeed one after another in the Kingdome; and not to have any regard whether they were legitimate or illegitimate, hoping that he should be one of them, being a Kings sonne, although illegitimate. But the Queene, when she out of her wisdome weighed, that such a substitution was a thing contrary to

the Lawes of the Land, and would be a wrong unto the right heires, a moſt pernicious example, and perillous alſo for the ſubſtitutes themſelves, yea and a barre unto her to keepe her from marriage againe. She anſwered mildly, that ſhe would take deliberation in the matter, and conſult with the Eſtates of the Realme about it. And to ſhew her ſelfe courteous and bountifull to her brother, ſhee created him Earle of *Marre*, and afterward Earle of *Murrey* (becauſe *Marre* was in controverſie) and advanced him to an honourable marriage: All this ſhee did, being all this while ignorant that he affected the Kingdome, (bragging that he was the lawfull ſonne of *James* the fift.) And to make the way thereunto, he through the favour wherein he ſtood with the Queene, oppreſſed the moſt noble familie of the *Gordons*, who had very many vaſſals, tenants and retainers, whom he feared much, both

both in respect of himselfe, and of their Religion: And banished from the Court the Duke of *Chastaule-roy* (who was accounted the next heire to the Crowne) imprisoned the Earle of *Arran* his sonne, banished *Bothwell* into *England*, and put all them that he thought might crosse him, out of office: And he as a Guardian kept the Queene as his Ward, and at his command, being most carefull and diligent to keepe her from marriage.

And as soone as he understood, that on the one side the Emperour sued to her for his brother, and the King of *Spaine* for his sonne; he disswaded her utterly from them both: because (forsooth) the libertie of *Scotland* would not, nor could not endure a forraigne Prince. And whensoever that government descended unto women, that they married no other husbands, but of the *Scottish* Nation: But afterwards, when all the *Scots* generally wished to see her married,

ed, and hee found out that the Countesse of *Lennox* had so providently wrought, that shee inclined to marrie *Darly*; he also commended him as a good husband for her, hoping the young man, being of a soft nature, would be ruled by him in all things. Yet when he saw the Queene to love *Darly* exceedingly, and he himselfe to grow out of her favour, he repented him of his counsell he had given, and willed Queene *Elizabeth* to hinder her marriage by one meanes or other.

The marriage being made up, and *Darly* proclaimed King, when the Queene revoked the donations made to him and others, against the Lawes in her minoritie; he with other, put himselfe in armes against the King; alleaging, that the new King was an enemie unto the Religion of the Protestants; and that he was married without the consent of the Queene of *England*. But he fled into *Eng-*

land

land (as I have already said) never adventuring to fight: And being frustrate of all hope of helpe from thence, he dealt by Letters with *Mourton*, a profound subtill man, who was as his other selfe, that since the marriage could not be dissolved, yet that the love betweene the parties might be broken by some secret devices: and a fit occasion offered it selfe; for she upon the arising of some private discontent, to keepe under the swelling minde of the young man, and to conserve her royall authoritie whole to her selfe, had begun to set her husbands name last in the Proclamations and Records, and to omit it utterly in the coine.

Mourton being a cunning man to breed discontents, with his flattering words crept into the Kings goodliking and opinion, and then perswaded him to take upon him the Crowne of the Realme, yea, in despight of the Queene, and to make himselfe free from the gouernment

vernment of women; for that it is the condition of women, ſaid he, to obey, and of men to rule. By this counſell, if it were taken, he hoped not onely to draw away the love of the Queene, but of all the Nobilitie and Commons alſo from the King, to eſtrange the Queene, and with divers ſlanders firſt heartened the King to murther *David Rizius a Piedmountoys*, leſt that politike fellow ſhould prevent their purpoſes (this man was a Muſitian by profeſſion, and came the laſt yeare with *Moret* the Embaſſador of *Savoy*; and by the Queene for his wit and dexteritie received into her houſhold and favour, and preferred to write her *French* Letters, and unto her privie Councell in the abſence of the Secretarie.) Then to eſtrãge her love the more, he perſwaded the King to be preſent at the murder, with *Ruthen* and the reſt, who ruſhing together with him into the Queenes dining Parlour, at ſupper time (ſhee ſitting

ting at the Table with the Counteſſe of *Argile*) aſſaulted the fellow with their naked ſwords, as he taſted meat taken from the Queenes Table, at the Cupbord (as the ſervants of the privie Chamber uſe to doe) before her face, being great with childe, trembling with feare, ſetting a Piſtoll at her breaſt; ſo that ſhee was in danger of abortion, and dragged him into the utter Chamber, where they moſt cruelly killed him, and ſhut up the Queene into a Parlour: *Mourton* all this while guarding all the paſſages.

This murther was committed the evening before the day appointed unto *Murrey* to appeare for his triall in the aſſembly of the Eſtates for his rebellion, who came in on the next day, when no body expected him, and no man appeared againſt him in that troubleſome time: So that it may ſeeme that the murder of *David* was haſtened of ſet purpoſe to procure the ſecuritie and ſafetie of *Murrey*. Yet the

Queene

Queene at the earneſt ſuit of the King, received him courteouſly, and continued in brotherly love towards him. But the King when he conſidered the enormitie of the offence (& ſeeing now the Queene to be very angry) repented his raſhneſſe, and in humble manner ſubmitted himſelfe unto her clemencie, weeping and lamenting, and asking pardon, did ingenuouſly confeſſe, that he committed that hainous offence by the inſtigation of *Murrey* and *Mourton*: and from thenceforth did ſo hate *Murrey*, (for *Mourton*, *Ruthen*, and others, were fled into *England* upon the murther, with the commendatorie Letters of *Murrey* unto *Bedford*) that he deviſed to kill him. But when out of wrath and raſhneſſe, he could not conceale his purpoſe, nor (ſuch was his reſpect unto the Queene his wife) durſt execute it; he told her how profitable it would be for the Common-wealth, and alſo for the ſecuritie of the royall familie,

familie, if *Murrey* were rid out of the way. Shee detesting the thing, terrified him even with threats, from such enterprises, putting him in hope of reconciliation. Yet he when he saw, to his hearts griefe, the Bastard to be of such power with the Queene, out of his impatience he plotted the same matter with others; which when it came to the eares of *Murrey*, to prevent him, under colour of dutie, he laieth closer snares for the yong man, using *Mourton* (though absent) for his Counsellor.

They thought it requisite above all things, utterly to avert the Queenes minde from the King; and by flatterie to induce *Bothwell*, lately reconciled unto *Murrey*, and in great favour with the Queene, into their societie, shewing him a hope to be divorced from his wife, and to marrie with the Queene, as soone as shee was widow. And for the performance of these things, and also to defend him against all persons,

perſons, they bound themſelves under their hands and ſeales, being perſwaded, if the matter hit right, that they might by one labour kill the King, utterly diſcredit the Queene amongſt the Nobilitie and Commons, undoe *Bothwell* utterly, and bring the government of all the affaires unto their hands.

Bothwell being a lewd minded man, blinded with ambition, and therefore venturous to attempt, quickly laid hold on the hope offered unto him, & villanouſly committed the murther. But *Murrey* had ſecretly gone home a prettie way off, fifteene houres before, that he might no way be ſuſpected; and that hee might from thence give ayd unto the Conſpirators, when any need was, and all the ſuſpition might light upon the Queene. As ſoone as he returned unto the Court, both he and the Conſpirators commended unto her *Bothwell*, as moſt worthy of her love,

love, for the Nobilitie of his familie, his valour shewed against the *English*, and his approved fidelitie. They put in her head, that shee being alone and solitarie, was not able to represse the tumults that were raised, prevent secret plots, and uphold the burthen and heauie weight of the Kingdome. Therefore shee might doe well to take as a Companion of her bed, counsell, and danger, the man that could, would, and durst oppose himselfe against all trouble. And they drave and enforced her so far, that the fearefull woman, daunted with two tragicall murthers, and remembring the fidelitie and constancie of *Bothwell* towards her and her mother, and having no other friend unto whom to resort, but unto her brothers fidelitie, gave her consent: Yet upon these conditions, that above all this, provision might be made for the safetie of her little sonne; and then, that *Bothwell* as well might be cleered from

from the murther of the King, as also from the bond of his former marriage.

What *George* Earle of *Huntley*, and the Earle of *Argile*, men of great Nobilitie in *Scotland*, did forthwith protest of this matter, I thinke good to set downe in this place, out of the originall, with their own hands, sent unto Queen *Elizabeth*, which I have seene. *For asmuch as Murrey and others, to cloake their rebellion against the Queene (whose authoritie they usurpe) doe slander her openly, as privie and consenting unto her husbands death: We doe publikely protest & sweare these things. In the Moneth of December, in the yeare of our Lord God one thousand five hundred fiftie and six, when the Queene lay at* Cragmyller, Murrey *and* Lidington *did acknowledge before us, That* Mourton, Lyndsey, *and* Ruthen *killed* David Rizio, *for no other end, but to procure the safetie of* Murrey, *who was to be attainted at the same time. Therefore lest they should be un-*

unthankefull, they wished that Mourton *and the rest, banished for the death of* David, *might be brought home againe: And this they insinuated could not be done, except the Queene were separated by a divorce from the King, which they promised to effect, if wee would grant our consents. And afterwards* Murrey *promised unto mee* George *Earle of* Huntley, *the restitution of my ancient Patrimonie, and perpetuall favour of the banished men, if I would favour the divorce. Then they went unto* Bothwell, *that hee should consent thereunto. Lastly, wee came unto the Queene, and* Lidington *in all our names besought her exceedingly to remit the sentence of exile against* Mourton, Lyndsey *and* Ruthen: *He exaggerated the faults and crimes of the King with bitter words; and shewed, that it was much for the good and benefit of the Queen and the Common-wealth, that a divorce were speedily sued out: forasmuch as the King and shee could not live together with securitie in* Scotland. *Shee answered, shee*

ſhee had rather depart into France, and live privately for a time, untill her huſband acknowledged his faults: for ſhee would have nothing to be done that ſhould be wrong to her ſonne, or diſhonour unto her ſelfe. Hereunto Lidington replied, ſaying: Wee that are of your Councell will provide for that. But I command you (ſaid ſhee) not to doe any thing which may be a blemiſh to my honour, or a ſtaine to my conſcience. Let things be as they be, untill God above doe remedie it: That which you thinke may be good for mee, may prove evill. Unto whom Lidington ſaid, Commit the matter unto us, and you ſhall ſee nothing done but that which is good, and that which ſhall be allowed in the Parliament. Hereupon, ſince that within a few dayes after, the King was moſt ſhamefully murthered; Wee out of the inward teſtimonie of our conſcience, are moſt aſſured, that Murrey and Lidington were the authors and perſwaders of this murder of the King, whoſoever were the actors of the ſame. Thus much of Huntley and Argile.

Now

Now the Conſpirators applied all their skill that *Bothwell* might be cleared of killing the King: Therefore without delay, the Parliament is ſummoned for no other cauſe, and Proclamations are ſet out to apprehend the perſons ſuſpected for murdering the King. And when *Lennox*, father to the murdered King, accuſed and charged *Bothwell* as the Regicide, and was very importunate that *Bothwell* might be brought to triall before the Parliament began: This alſo was granted; and *Lennox* commanded to come in with his accuſation within twentie dayes. On which day, when he heard nothing from the Queene of *England*, and could not be preſent in the Citie full of his enemies, without danger of his life; *Bothwell* was brought to the Barre, and arraigned, and acquitted by the ſentence of the Judges; *Mourton* alſo upholding and maintaining his cauſe, and openly taking his part.

This

This buſineſſe being finiſhed, the Conſpirators wrought ſo, that the moſt of the Nobilitie gave their conſent unto the marriage, under their hands and ſeales, leſt he (fruſtrated of the promiſed marriage) ſhould appeach them as contrivers of the murder. But of this marriage of the Queene with *Bothwell* (who was created Duke of the *Orkeneis*) the ſuſpition increaſed with all men, that the Queene was cõſenting to the Kings death: which the Conſpirators increaſed by Letters ſent into all places, and in their ſecret meetings at *Dunkelden* they conſpired forthwith to kill *Bothwell*, and deprive the Queene: Yet *Murrey*, that he might be thought cleare of this conſpiracie, obtained leave of the Queene (but hardly) to travell into *France*. And that he might put all diffidence out of her head, he commended all his affaires and eſtate in *Scotland*, unto the fidelitie of the Qneene and *Bothwell*. Hee was

ſcarce

scarce gone out of *England*, but behold the same men which had cleared and acquitted *Bothwell* from the murder, and consented unto the marriage under their hands and seales, tooke up Armes against *Bothwell*, as meaning to apprehend him: And indeed they secretly willed him to save himselfe by flight, for no other intent, but that hee should not be taken, and discover all their plot, and withall, that they might lay hold of his flight, as an argument or reason to accuse the Queene of killing the King. But shee being taken, they used her most contumeliously, and in most unseemely fashion, and putting on her an old cloake, thrust her into prison at *Lochlevyn*, under the custodie of the mother of *Murrey*, who had beene the Concubine of *James* the fift, who most malapertly insulted over the calamity of the imprisoned Queene, boasting that shee her selfe was the lawfull wife of *James* the fift, and that her

ſonne *Murrey* was his lawfull iſſue.

As ſoone as Queene *Elizabeth* underſtood theſe things, in her minde deteſting this barbarous inſolencie of Subjects (whom ſhee called oftentimes Traytors, Rebels, unthankfull and cruell fellowes) againſt a Princeſſe, her ſiſter, and neighbour; Shee ſent *Nicholas Throgmorton* into *Scotland*, to expoſtulate with the Conſpirators for this inſolency uſed againſt their Queene, and to take ſome courſe how to reſtore her into her former libertie, and for the ſevere puniſhment of the murderers of the King; and that the young King might be ſent into *England*, that order might be taken for his ſecuritie, and not ſent into *France*. And what I ſhall hereafter declare (during his abode in *Scotland*) take yee upon the credit of his Letters, which is approved.

He found the moſt part in *Scotland* incenſed againſt the Queene, who in plaine termes denied acceſſe

ceſſe unto her, both to him, and alſo to *Villeroy* and *Crocus* the *French* Embaſſadors. Yet could not the Conſpirators agree among themſelves what to doe with her: *Lidington* and a few others would have her to be reſtored upon theſe conditions: That the murderers of the King ſhould be puniſhed according to Law; The Princes ſafetie provided for; *Bothwell* divorced, and Religion eſtabliſhed. Others would have her to be baniſhed for ever into *France*, or into *England*: So as the King of *France* or Queene of *England*, did give their words, that ſhe ſhould reſigne the Kingdome, and transferre all her authoritie unto her ſonne and certaine Noble men. Others were of opinion, that ſhee ſhould be arraigned publikely, and condemned unto perpetuall priſon, and her ſonne crowned King: Laſtly, others would have her deprived both of her life and Kingdome, by a publike execution. And this *Knox*

and ſome Miniſters of the Word, thundered out of their Pulpits.

On the other ſide, *Throgmorton* out of the holy Scriptures brought many places to prove, *that obedience was to be yeelded unto the higher powers, that carry the ſword:* And wittily argued, *that the Queene was not ſubject to the judgement of any, but only of the celeſtiall Judge: That ſhee could not be arraigned or brought to triall before any Judge on the earth: And that there is no Magiſtrate had any authority in* Scotland, *which is not derived from the authority of the Queene, and revocable at her pleaſure.* They oppoſed the peculiar Law of the Kingdome, among the *Scots*, and that in extraordinarie cauſes, extraordinarie courſes were to be uſed: receiving their reaſons from *Buchanan*, who at that time by the perſwaſion of *Murrey*, wrote that damned and hatefull Dialogue, *De jure Regni apud Scotos:* wherein is maintained, that the people have authoritie to create and deprive Kings,

Kings, against the truth of the *Scottish* Histories. Yet ceased not *Throgmorton* to make many earnest motions for the restitution of the Queene, and for accesse unto her; though *Lidington* had answered him oftentimes, that his accesse could not be granted, since it was denied unto the *French:* That they must not displease the *French*, to please the Queene of *England*, whom they had tried, did but serve her owne turne, since for her owne good shee hoped to expulse the *French* out of *Scotland*; and very lately shewed so little favour, and was so niggardly to the *Scottish* men exiled for the killing of *David Rizim*. Moreover, he was to beware, lest the *Scots* out of his importunitie should neglect the *English* men, & incline unto the friendship of the *French*, and secretly advised him with the *French* Proverb, *Il perd le jeu, qui laisse la partie:* That the *English* men should not abandon the *Scots* their friends.

Then in a long writing, which they delivered to *Throgmorton*, without any ſubſcription, they proteſted, that they ſhut up the Queene into that ſolitarie place, for no other intent, but that they might keep her aſunder from *Bothwell*, whom ſhee loved unmeaſurably, to worke their confuſion, untill that wilfull love towards him, and her womanly teene towards them was aſſwaged; and bade him reſt content with this anſwer, untill the reſt of the Noblemen met. Yet every day they curbed her more of her libertie, though ſhee with abundance of teares, and moſt humble requeſts, begged of them to deale more mildly with her; if not as the Queene, yet as with a Kings daughter, and mother to the Prince, whom ſhee made humble ſuit that ſhe might ſee oftentimes, but in vaine. But that I may not inſiſt upon particular injuries, at laſt they ſpake her faire, and willed her to give over her government, taking

king either her ſickneſſe, or the troubles in government, for an excuſe; or, as other more ſubtilly willed her, that the reſignation being made, ſhe being then kept more negligētly or careleſly, might make an eſcape. When theſe tricks proved not, they threatned openly to arraigne her of incontinēcy of life, of killing the King, and tyrannie; namely, that ſhee had violated the Lawes and right of the Land, to wit, thoſe which *Randan* and *D'Oſſell* had confirmed in the King of *France* and her name. At length, terrifying her with death, they compelled her to put her hand unto their Letters Patents, which ſhe never ſaw nor heard read; in the beginning whereof, ſhee reſigned her Realme to her ſonne ſome thirteene moneths old: In the ſecond branch thereof, ſhee appointed *Murrey* Regent, during the minoritie of her ſonne: In the third, if *Murrey* refuſed the charge, ſhee named theſe new governours of her

ſonne; *James* Duke of *Chaſteauleroy*, *Matthew* Earle of *Lennox*, *Gilbert* Earle of *Argile*, *John* Earle of *Atholl*, *James* Earle of *Mourton*, *Alexander* Earle of *Glencarne*, and *John* Earle of *Marre*. And without delay ſhee ſignified by *Throgmorton*, unto the Queene of *England*, that ſhee had reſigned by Coaction, and had ſubſcribed to the Ceſſion or Reſignation againſt her will, by the counſell and advice of *Throgmorton*, who had perſwaded her, that the Ceſſion extorted in the priſon (which is a juſt feare) was undoubtedly void and of no validitie. But of theſe things you ſhall heare more the next yeare, out of the accuſations and defences of both the parties, before the Commiſſioners at *Yorke*.

On the fifth day after the reſignation, *James* the Queenes young ſonne was annointed and crowned King, *John Knox* making the Sermon: The *Hamiltons* putting in a proteſtation, that it ſhould be no pre-

prejudice unto the Duke of *Chastealeroy* in the right of succession against the familie of *Lennox*. But Queene *Elizabeth* forbade *Throgmarton* to be present thereat, that shee might not be thought to allow the unjust abdication of the Queene, by the presence of her Embassador.

On the twentieth day after the resignation, *Murrey* himselfe returned out of *France*; and the third day after, he with many of the Conspirators came unto the Queene, against whom he laid many hainous crimes, and perswaded her to turne unto GOD by true repentance, and to aske mercie of him. Shee shewed her selfe sorrowfull for the sinnes of her former life, shee confessed some things he objected, others shee extenuated, others she excused by humane frailtie, and the most matters shee utterly denied. Shee required him to take upon him the government of the affaires for her sonne, and

required him earneſtly to ſpare her life, and her reputation. He ſaid, it lay not in his power, but it was to be ſought for of the States of the Realme; yet if ſhee deſired to have her life and honour ſaved, he preſcribed theſe things for her to keepe: That ſhee ſhould not trouble nor diſturbe the tranquillitie of the Realme; That ſhee ſhould not ſteale out of priſon, nor move the Queene of *England*, or the King of *France*, to vex *Scotland* with forraigne or civill warre; That ſhee ſhould not love *Bothwell* any more, or deviſe to take revenge on the enemies of *Bothwell*.

The Regent being proclaimed, bound himſelfe by his hand and ſeale, to doe nothing concerning peace or warre, the perſon of the King, or his marriage, or the libertie of the Queene, without the conſent of the Conſpirators. Hee willed *Throgmorton* by *Lidington*, not to intreat any more for the Queene; for that he and the reſt had

had rather endure all things, than that shee being freed, should keepe *Bothwell* companie, bring her sonne into danger, her Countrie into trouble, and also proscribe them. We know (said he) what you *English* men can doe by warre: You may waste our borders, and we may yours; and we know assuredly, that the *French* men in regard of our ancient league, will not abandon and forsake us. He denied also *Ligneroll* the *French* Embassador, to have accesse unto the Queene, untill *Bothwell* was taken; and every day hee used the distressed Queene worse and worse, whereas shee had deserved well at his hands, and contrary to his promise he had made unto the King of *France*. Thus much out of the Letters of *Throgmorton*.

Shortly after, *Murrey* put to death *John Hepborne*, *Paris* a *French* man, *Dagliſh*, and the other servants of *Bothwell*, who had beene present at the Kings death: But they (which *Murrey* little expected) at the Gallowes

lowes proteſted before God and the Angels, that they underſtood by *Bothwell*, that *Murrey* and *Mourton* were the authors of killing the King, and cleared the Queene from all ſuſpition; as *Bothwell* himſelfe priſoner in *Denmarke* all his life time, and at his death, did with many ſolemne oaths and religious proteſtations, affirme, that the Queene was not privie nor conſenting to it. And fourteene yeares after, when *Mourton* was to ſuffer death, he confeſſed, that *Bothwell* dealt with him to conſent unto the murder of the King, which when hee utterly denied, except the Queene did command it under her hand; To that *Bothwell* did anſwer, that could not be done, but that the deed muſt be done without her knowledge.

This raſh, precipitate and overhaſty abdication or deprivation of the Queene, and the overthwart ſtubbornneſſe of the Conſpirators towards the Embaſſadors, both

Queene

Queene *Elizabeth* and the *French* King tooke very hainously, as a thing tending to the reproach of royall Majestie, and began to favour the *Hamiltons*, who stood for the Queene. *Pasquier* also Embassador from the *French* King, dealt with the Queene of *England*, that shee might be restored by force of armes; but shee thought it the better way to forbid the *Scots* all traffick in *France* and *England*, untill shee was delivered; and so by that meanes the common people might be dis-joyned from the Noblemen, who (as it seemed) were united in the conspiracy against the Queene.

Anno 1568.

IN *Scotland* the captive Queene upon the second day of May, escaped out of prison in *Lochlevin*, by the meanes of *George Dowglas*, whose brother had the custodie of her,

her, unto the Caſtle of *Hamilton*; where, hearing the teſtimonie of *Robert Meluin* and others, a *ſentence Declaratory* was made by the whole conſent of all the Noblemen which were there met, being very many: That the Reſignation extorted by feare from the Queene, was void from the beginning; and that the ſame was extorted, is confirmed by the oath of the Queene there preſent. Hereupon ſuch a multitude came unto her from all places in a day or two, as ſhee had an armie of ſix thouſand valiant men, which yet *Murrey* eaſily put to flight, becauſe they were ſo fierce, & would not be ordered in the fight. The fearefull Queene, terrified with this unfortunate ſucceſſe, betooke her ſelfe unto flight, riding that day threeſcore miles, and afterwards, by journies in the night, came unto the houſe of *Maxwell*, Lord *Herris*; and was more willing to commit her ſelfe unto the protection of Queene *Elizabeth*, than

than to truſt her owne Subjects. Yet ſhe ſent before one *John Beton*, unto her (with a Diamond, which ſhe had before received of her, as a token betweene them of benevolence) who ſhould ſignifie unto her, that ſhee would come into *England*, and aske ayd of her, if her Subjects purſued her any farther by warre: unto whom Queene *Elizabeth* promiſed very largely all love and ſiſterly kindneſſe. But before the meſſenger returned, ſhee went into a little Barke (her friends much diſſwading her) with the Lords, *Herris* and *Fleming*, and few others, and landed the ſeventeenth day of May at *Worlington* in *Cumberland*, neere unto the mouth of the River *Derwent*; and the ſame day wrote Letters in the *French* tongue, with her owne hand, unto Queene *Elizabeth*: Of the which the chiefe heads (ſince they doe comprize a longer Hiſtoricall narration of the things done againſt her in *Scotland*, than I have declared)

red) I thinke good to ſet downe out of the originall, which is in this manner.

You are not ignorant (my beſt ſiſter) how many of my Subjects, whom I have advanced unto great honour, have conſpired to oppreſſe and impriſon mee, and my husband; and how at your interceſſion I received the ſame men into favour, whom I had expelled out of my Kingdome by force of armes. But yet theſe men brake into my Chamber, and cruelly killed my ſervant, I being great with childe, beholding it, and ſhut me up in priſon. When I had againe forgiven them, behold, they laid upon me a new crime, which themſelves had wrought, and ſigned with their owne hands; and ſhortly after were enranked in battell againſt me in the field: but I truſting in mine innocencie, to avoid the ſhedding of bloud, put my ſelfe into their hands; forthwith they thruſt me into priſon, ſent away all my ſervants, but one or two maids, a Cooke, and a Phyſitian, enforced me by threats and feare of death, to reſigne my Kingdome,

and

and in the assembly of the Estates called by their own authoritie, denied to heare me and my Agents, spoiled me of all my goods, and kept me from the speech of all men. Afterwards, by Gods helpe, I escaped out of prison, and accompanied with the flower of the Nobles, who came joyfully unto me, from all parts, I admonished mine enemies of their dutie and allegeance; I offered them pardon, and proposed that both parts might be heard in the assembly of the Estates, that the Common-wealth might not any longer be torne in sunder by these intestine mischiefes. I sent two messengers about this matter, they cast them both into prison; they proclaimed them that assisted mee Traytors, and commanded them forthwith to leave me. I requested that the Lord Boyd *might talke with them under a safe conduct, about a composition; but they also denied the same utterly. Yet I hoped they might have beene recalled to acknowledge their dutie by your intercession. But when I saw I was to undergoe either death or imprisonment, I intended*

to

to have gone unto Dunbritton ; *but they met mee in armes upon the way, and put my friends unto flight. I gat me unto the Lord* Herris, *with whom I am come into your Kingdome, upon a certaine hope of your approved benevolence, that you will helpe me friendly, and by your example excite others to doe the ſame. Therefore I earneſtly requeſt you, that I may be brought unto you ſpeedily, for I am now in great diſtreſſe, which I will tell you more at large, when it ſhall pleaſe you to have compaſſion on mee. God grant you long and happie life, unto me patience and comfort, which I hope and pray I may obtaine of him by your meanes.*

Queene *Elizabeth* in her Letters by *Francis Knowles*, & others, comforted her, and promiſed to protect her according to the equitie of her cauſe, but denied her to come to her preſence, for that by report ſhee was charged with many crimes, and commanded that ſhe ſhould be conveyed unto *Carlile*, as unto a ſafer place (if her enemies at-

attempted any thing againſt her) by *Lowder* Lieutenant of the place, and the power of the Gentlemen of the Countrie. Shee having received this anſwer, and the acceſſe denied, both by her Letters, and alſo by *Maxwell* Lord *Herris*, ſhee earneſtly beſought her, *That ſhee might as well ſhew the injuries received by her, as alſo cleare her ſelfe of the crimes objected againſt her in her preſence: That it was moſt juſt that Queene* Elizabeth *her neareſt kinſwoman of bloud ſhould heare her in her preſence, being baniſhed; and alſo reſtore her unto her Kingdome, againſt thoſe whom being baniſhed for their villanies committed, ſhee had reſtored unto their eſtates, at the interceſſion of Queene* Elizabeth, *and that to her owne deſtruction, except it were ſpeedily averted. Therefore ſhee humbly requeſted, that either ſhee might be admitted to her ſpeech, and holpen, or that ſhee might ſpeedily be permitted with her leave and favour to depart out of* England, *to crave helpe from ſome other*

ther place, and not to be detained any longer like a priſoner in the Caſtle of Carlile; *foraſmuch as ſhee came volantarily into* England, *truſting on her love, oftentimes promiſed by Letters, Meſſengers, and tokens.*

Through theſe Letters, and the words of *Herris*, Queene *Elizabeth* ſeemed (for who can reach into the ſecret cogitations of Princes? and wiſe people conceale to themſelves their owne purpoſes) from her heart to have compaſſion of this Princeſſe her kinſwoman, being in very great diſtreſſe; who was taken by her Subjects by force, thruſt into priſon, brought into danger of her life, condemned, and yet never heard ſpeake in her owne defence (which is never denied to a private man) and had fled into *England* unto her upon an aſſured hope of helpe and reliefe. Moreover, ſhe was much moved, that the diſtreſſed Queene had voluntarily offered, to have her cauſe argued and diſputed of before her, and had taken

taken upon her to prove her adversaries guiltie of all the crimes whereof they had accused her, who was innocent.

Whether the pittie of Queene *Elizabeth* was unfained or not, is not knowne: But certaine it is, the Councellors of *England* did enter into a mature deliberation, what should be done with her: If shee should be kept still in *England*, they feared, that shee which had an alluring eloquence, would daily draw to her part many more to favour the right shee pretended unto the Crowne of *England*, who would kindle her ambition, and leave nothing unattempted to purchase the Kingdome for her; That forraigne Embassadors would helpe and assist her purposes; and that then the *Scots* would not faile her, when they saw such a faire prey. Moreover, the fidelitie of keepers was uncertaine, and if shee should die in *England* by sicknesse, it would give occasion of slander, and

and the Queene ſhould be vexed and turmoiled every day with new moleſtations. If ſhee ſhould be ſent into *France*, they feared, leſt her Coſens the *Guiſes* would againe purſue the right and claime ſhee made unto *England*, upon a conceit and opinion that ſhee could doe much in *England* with ſome for Religions ſake, with others by the probabilitie of the right, whereof I ſpeake; and with many upon a mad deſire of innovation. Beſides that, the friendſhip betweene *Scotland* and *England*, which is very profitable, might be broken, and the ancient league between *France* and *Scotland* renewed; which might be more dangerous than in former times, when *Burgundy* was tyed unto *England* in a ſtricter league than at this preſent; *England* having now no aſſured friends but the *Scots*. If ſhee ſhould be ſent backe into *Scotland*, they feared leſt the *Engliſh* faction ſhould be put out of authoritie, the *French* faction raiſed

to

to the government of affaires, the young Prince exposed unto danger, the Religion in *Scotland* changed, the *French* and other forrainers brought in, *Ireland* more vexed and annoyed by the *Irish Scots*, and she her selfe brought into danger of her life by her adversaries at home. Hereupon most of them thought best to detaine her as a lawfull prize, and not to be let goe, untill shee had satisfied for the challenging the title of *England*, and answered for the death of *Darly* her husband, who was a native Subject of *England*; for the mother of *Darly* the Countesse of *Lennox*, long since, blubbered with teares, in her owne name, and her husbands also, had made a grievous complaint against her, and had besought Queene *Elizabeth* that shee might be arraigned for the death of her sonne: but shee comforting her with courteous words, willed her *not to lay such a crime upon so great a Princesse her nearest Cousin, which could*

could not be proved by any certaine evidence: That the times were malicious, and unjuſt ſpight blinde, which doth lay crimes upon innocent perſons, but that Juſtice which is the puniſher of offenders was open eyed, and ſitteth by God.

On the other ſide, the Lord *Herris* humbly beſought the Queene, not to beleeve raſhly any thing againſt the truth, againſt the Queene unheard; and that in *Scotland Murrey* ſhould not precipitate the Parliament, to the prejudice of the expulſed Queene, and to the deſtruction of good Subjects. Which though ſhee urged exceedingly, yet *Murrey* in the Kings name, held the Parliament, attainted many that ſtood for the Queene, ſpoiled and deſtroyed their houſes and poſſeſſions. Hereupon the Queene of *England* being moved with indignation, ſignified by *Midlemore* unto the Regent in bitter words; That ſhee could not endure, that by a moſt pernicious example unto

to Kings, the sacred authoritie of royall Majestie should be contemned by Subjects, and trodden under foot at the pleasure of factious people. And howsoever they had forgotten the dutie and allegeance of Subjects toward their Princesse, yet shee could not forget any dutie or office of good will and pietie towards her sister and neighbour Queene. Therefore it was best for him then to come himselfe, or else to give Commission unto fit and apt men for this businesse, who should make answer unto the complaints of the Queene of *Scotland*, against him and his complices; and also yeeld just reasons for their deprivation of her; if he did not, that shee would set her at libertie forthwith, and restore her to her Kingdome, with all the power shee could make. And withall, willed him not to sell away the Queenes apparell and precious ornaments, though the Estates had permitted the same.

Murrey did as ſhee willed him, ſince he had depended upon no o-other place, but onely upon *Eng-land*, for this courſe of his fickle government, and the Noblemen of the Realme refuſed to be ſent on that meſſage. To *Yorke* therefore (the place appointed for the mee-ting) came he himſelfe and ſeven of his deareſt and moſt familiar friends, as Commiſſioners for the King infant, namely, *James* Earle of *Mourton*, *Adam* Biſhop of *Orke-ney*, *Robert* Commendator of *Dun-fermellin*, *Patricke* Lord *Lindſey*, *James Mangill*, *Henry Balnaw*: and *Lidington* (whom *Murrey* with faire promiſes enticed to come with him, fearing to leave him at home) & *George Buchanan*, one that would ſweare it if *Murrey* ſpake it, ac-companied them. The ſame very day came thither *Thomas Howard* Duke of *Norfolke*, *Thomas Ratcliff*, Earle of *Suſſex*, a little before made Preſident of the North, and Sir *Ralph Sadleir* Knight, one of the privie

privie Councell, appointed Commissioners, to heare the cause of the deprivation, for the Queene of *Scotland*, (who tooke it most unkindly that Queene ELIZABETH would not heare her to speake, and yet commanded her Subjects to be heard against her, before Commissioners; forasmuch as shee being an absolute Prince, could not be bound to answer but at pleasure, unto her Subjects accusing her.) There appeared *John Lesle* Bishop of *Rosse*, *William* Lord *Levinston*, *Robert* Lord *Boyde*, *Gawen* Commendator of *Kilwiming*, *John Gordan*, and *James Cocburne*, for her.

When they were met on the seventh day of October, and shewed each one to the other their Letters Patents of their Commission; *Lidington* standing up, and turning to the *Scots*, with a wonderfull bold speech admonished them: *For as much as it should seeme by the Commission granted to the* English *men, that the Queene of* England *had no other*

purpose, but that they should defame, disgrace, and discredit the reputation and good name of their Queene mother to their King; and that shee as an umpire and Iudge should give sentence; that they should consider with themselves discreetly, what hate and danger they might draw upon themselves by accusing her of crimes, and bringing her in danger and losse of reputation in this juridicall and publike forme, before Englishmen, the professed enemies of the Scottish Nation, not onely with the Scots that loved the Queene, but also with other Christian Princes, and her Cousins in France: and what reason they could yeeld for this insolent accusation (not without the wrong of the Scottish Kingdome) unto the King, when hee being riper in yeares, shall thinke this action a reproach and dishonour to himselfe, his mother, and his Countrie also. Therefore he thought it most fit to leave off the odious accusation of so great a Princesse, except the Queene of England shall make a mutuall league offensive and defensive against

gainſt all perſons that ſhall trouble them for this matter. And thus the Secretary of *Scotland* adviſed them in the way of friendſhip. They looking one on another, ſaid not one word.

The Commiſſioners of the Queen of *Scotland* (for the firſt place of honour was given unto them) before they tooke the oath, proteſted although the Queene of *Scotland* was content that the cauſes betweene her and her rebellious Subjects ſhould be argued in the preſence of the *Engliſh* men, yet that ſhe did not therefore acknowledge her ſelfe to be ſubject to any, or under the rule of any, being as ſhe is, a free Prince, and vaſſall and holding of none. The *Engliſh* men proteſted likewiſe, that they by no meanes admitted that proteſtation, to the wrong of that right which the Kings of *England* of long time have challenged and claimed as the ſuperiour Lords of the Kingdome of *Scotland.*

On the next day, the Commiſ-

ſioners of the Queene of *Scotland* by writing declare, *How* James *Earle of* Mourton, John *Earle of* Marre, Alexander *Earle of* Glencarne, Hume, Lindſey, Ruthen, Sempill, &c. *had levied an armie, in the Queenes name, againſt the Queen, taken her, uſed her vilely, and thruſt her into priſon in* Lochlevin, *had forcibly broken into her minting houſe, taken away the minting irons, and prints, all the gold and ſilver coined and uncoined, and had crowned her ſonne (being an infant) King; whoſe authoritie* James *Earle of* Murrey, *under the name of Regent, had uſurped, and had taken into his hands all the muniments, riches and revenues of the Kingdome. And then they ſhew, how ſhee as ſoone as ſhee was eſcaped out of priſon, after eleven moneths, had publikely declared, and taken her oath, that whatſoever ſhe had done in priſon, had beene extorted from her (unwilling thereto) by force, threats, and feare of death; but yet for the conſervation of the publike tranquillitie, that ſhee gave authoritie to the*

Earles

Earles of Argile, Eglenton, Caſſile, *and* Rothſay, *to make a compoſition with her adverſaries, who yet ſet upon her with their men of warre, as ſhee intended to travell to* Dunbritton *by unknowne wayes, killed very many of her faithfull ſubjects, lead others away priſoners, and baniſhed others for no other cauſe, but for that they had done faithfull ſervice unto their lawfull Princeſſe. That ſhee enforced by theſe their vile and lewd iniuries, retired and withdrew her ſelfe into* England, *to require helpe, which Queene* Elizabeth *had oftentimes promiſed her, that ſhee might be reſtored unto her Countrie and former eſtate.*

After a few daies, *Murrey* the Regent and the Commiſſioners for the King Infant (ſo they called themſelves) make anſwer: *That* (Henry Darly *the Kings father, being murdered*) James Hepborne, *Earle of* Bothwell (*who was accounted to be the murderer*) *obtained ſuch favour of the Queene, that he tooke her being not unwilling, in the ſhew of violence,*

lence, and carried her to Dunbar, and tooke her to his wife (having put away his former wife:) That the Noblesmen moved thereat, thought it their dutie to punish Bothwell the contriver of the murder (for as much as that murder was in every place laid upon many Noblemen Conspirators) to restore the Queene unto her libertie, to unloose her from her unlawfull marriage, and to make provision for the young Kings safetie, and the tranquillitie of the Realme. And when the matter was now ready almost to come unto a bloudie fight; That the Queene sent Bothwell away, thundred out threats against the Noblemen, breathed revenge. So that it was of necessitie to keepe her in their custodie, untill punishment might be taken of Bothwell, if he could be found. And that shee, wearied with the trouble of government, voluntarily resigned her Kingdome, and transferred the same unto her sonne, appointing Murrey to be Regent. Upon this her sonne was with the due rites annointed and crowned King; and that all these

things

things were approved and confirmed by the Estates in the Parliament. And that the Scottish *Common-wealth by the just administration of justice reflourished, untill certaine persons envying the publike quietnesse, subtilly gat the Queene out of prison, and violating their fidelitie toward the King, tooke armes, of whom, though the King (by the favour of God) gat the victorie, yet they beare still the minde to worke and threaten all the hostilitie they may. And therefore it is very necessarie that the Kings authoritie may be conserved and established against such turbulent subjects.*

To these things the Commissioners of the Queene answer in their Replication (having first repeated their former protestation,) and say; *Whereas* Murrey *and the Conspirators doe say, that they tooke armes against the Queene, because* Bothwell, *whom they charge with killing the King, was in great favour with the Queene, they cannot with that glose cleare themselves from the marke of trai-*

terous subjects; since it was not certaine to the Queene, that he killed the King. Yea contrariwise, that he was acquitted, by the judgement of his Peeres, of the murder; and that verdict was confirmed by the authoritie of Parliament, with the consent also of them who now accuse him; and at that time perswaded the Queene to marrie him, as a man more worthy to beare rule, than any other; and gave unto him their word under their hands. Neither did they disapprove the mariage, so much as in word, untill they had by faire words enticed the Captaine of the Castle of Edenburgh, and the Provost of the Towne unto their side: For then late in the night, assaulted they the Castle of Borthwicke (where the Queene lay) and when shee, by the darknesse of the night, escaped, forthwith they levied an armie under the pretence to defend the Queene, and met her going towards Edenburgh, with Banners displayed, ready to fight; and by Grange, whom they sent before, they willed her to send away Bothwell

from

from her companie, untill he should be brought to tryall: which shee to avoid the effusion of bloud, willingly did. But Grange *secretly willed* Bothwell *to depart away, and gave his word that none should pursue him: so that he whom they might easily have taken then, departed with their good leave. But now having taken the Queene, they passed not upon him, that they might advance their ambitious purposes and desigues. And whereas they charge her to have used them with rough & rigorous words; it is no wonder, since they being her subjects, having sworne their allegeance unto her, had used her more rudely and vilely than becommeth any to use the Majestie of a Prince. And when shee most willingly referred the cause unto all the Estates of the Realme, and signified so much by* Lidington *the Secretarie, they would not so much as heare the moiun, but by night conveyed her secretly unto* Lochlevyn, *and put her in prison. In that they say shee voluntarily made a resignation of the Kingdome, for that shee was wearied with molestations*

tions in the government, is altogether untrue; for as much as ſhee was not outworne or decayed by age, nor weake by ſickneſſe, but both in minde and body able to diſcharge the moſt weightie matters of Eſtate. But this is moſt certaine, that the Earle of Athold, Tullibardin *and* Lidington *(who were alſo of their counſell) did will her to ſubſcribe unto the Letters Patents of the reſignation, that ſhe might avoid death, aſſuredly intended, and that this would be no wrong nor barre to the priſoner, or her heires; for as much as priſon is* a juſt feare, and a promiſe made by a priſoner *(by the opinion of the Lawyers)* is of no force, and utterly void. *And that* Nicholas Throgmorton *did perſwade her to the ſame, by a ſchedule written with his owne hand, whom ſhee alſo requeſted to ſignifie unto the Queene of* England, *that ſhee had ſubſcribed by coaction, and againſt her will. Moreover, that* Lindſey *when hee brought the Letters Patents of the Ceſſion to be ſubſcribed, threatned her with death, and drave her by force to ſubſcribe unto*

unto it, which shee never read, the teares running downe from her eyes. And that the Lord of the Castle of Lochlevyn *refused to subsigne it as a witnesse, because he saw and knew for certaine, that shee subscribed against her will. Also that resignation and renunciation is most unjust, in which nothing is assigned unto her, whereon shee may live, nor libertie granted, nor securitie of life promised. So that to men of indifferencie such like unjust resignation cannot seeme to prejudice her royall Majestie; which as soone as shee was free at libertie, openly declared, shee did it by compulsition, making a Declaratorie thereof before many Noblemen of the Realme. Neither ought those things which they brag they did by the authoritie of Parliament, be any prejudice unto the Queene; for where in the Parliaments of* Scotland *about an hundred Earles, Bishops, and Barons have their voices, in this tumultuarie Parliament, there were present no more but foure Earles, one Bishop onely, one or two Abbots, and six Barons; and of that small number, some did put in a pro-*

protestation, that nothing should be done to the wrong of the Queene, or her successor, because shee was a captive. Neither were the Embassadors of England *nor* France *admitted to know of her, whether shee resigned her Kingdome voluntarily, although they made earnest suit sundry times. And that it is so untrue, that the usurping Regent hath justly administred the Common-wealth, it is most apparant, that impietie did never reigne more, and with lesse controlment, in throwing downe Churches, ruinating worshipfull Families, and afflicting the miserable Commonaltie. Therefore they request earnestly, that the Queene of* England *would speedily helpe the Queene her Cousin, most unjustly and vilely oppressed, with her favour, advice, helpe, and assistance.* Thus much out of the originall copies of the Commissioners, written with their owne hands, which I have seene.

When the *English* Commissioners had heard these things, they required that *Murrey* should produce

duce and prove more ſound cauſes of this great ſeveritie uſed againſt an abſolute Queene: Foraſmuch as whatſoever had beene hitherto ſhewed, was not ſtrenthened with witneſſe, but with Letters of ſmall credit, and *Lidington* had inſinuated that he had oftentimes counterfeited the Queenes hand. He refuſed to accuſe his ſiſter any further before ſtrangers, except the Queene of *England* did repromiſe to undertake the protection of the Infant King, and utterly to relinquiſh the Queene of *Scotland*. When they by the authoritie of their Commiſſion could not promiſe it, one or two of either part are ſent for unto *London*; unto whom Queene *Elizabeth* declared: That ſhee could not yet cleere the Subjects from fault againſt their Princeſſe; yet that ſhee would intreat her for them, and heare if they had any thing elſe to ſay for their excuſe. *Murrey* who followed them, in plaine termes refuſed to accuſe

accuſe his ſiſter, but upon the condition he had ſpoken of at *Yorke*. Then were the Commiſſioners called backe, and put out of Commiſſion, the Duke being glad at his heart, who had alwayes favoured the Queene of *Scotlands* right in the matter of ſucceſſion, & thought that all this doing was nothing, but to brand her with the marke of eternall infamie, and thereupon to exclude her as an unworthy perſon with her little ſonne, of all her right of ſucceſſion in *England*. And he thought he had thereby eſcaped two perils; for he feared, if he had pronounced againſt her, he ſhould doe againſt his conſcience, and undoe her for ever; and if he ſpake for her, leſt he ſhould incurre the implacable indignation of the Queene, and the hate of all them that loved her not for Religions ſake.

But whereas at that time the affaires of *Scotland* were much troubled by the friends of the expulſed Queene,

Queene, and the presence of *Murrey* was needfull there; he began his accusation before the Queene, *Bacon* Keeper of the great Seale, the Duke of *Norfolke*, the Earles of *Arundell*, *Sussex*, and *Leicester*, *Clinton*, Lord Admirall, *William Cecill*, and *Ralph Sadleir* Commissioners appointed by new Letters Patents; and produced Articles standing upon conjectures, the testimonies of some men, and the decrees made in the Parliament, but especially certaine amatory Epistles and Verses written (as he said) with the Queenes hand, to prove her privie to the death of her husband, and *Buchanans* booke (called the *Detection*) he gave them to reade, which was of small credit with the greater part of the Commissioners, because he was one of that side, and wonne by money to write. But as for the Epistles and Verses (which wanted names, subscriptions, and notation of the time; since that, there be every where many

ny forgers which can ſo cunningly imitate and counterfeit other mens hands, that hardly the true can be knowne from the falſe) Queene *Elizabeth* gave ſmall credit, though there was womanly privie hatred (which carrieth away that ſex farre from the right) betweene them, and ſhee was well content that ſome blot of reproach by this accuſation was left, and remained on the Queene of *Scotland*.

But when her Commiſſioners heard that ſhee was contumeliouſly accuſed by *Murrey*, they were moſt ready to anſwer; but ſhee (being ſecretly inſtructed by many *Engliſh* Lawyers, that it was lawfull ſo to doe; for as much as the former authoritie and Commiſſion given to the *Duke* and others was abrogated) had already taken away their Cõmiſſion: and ſhee in plaine termes, refuſed the new *Engliſh* Commiſſioners; of whom one or two ſhee thought to wiſh her no good, but rather ill; except the

French

French and *Spanish* Embassadours might be added unto them, and she her selfe might be publikely admitted to defend her innocencie before the Queene, and *Murrey* detained & brought to tryall, whom shee affirmed might be proved to be the contriver of the murder of *Darly*. Which things, when *Norfolke*, *Arundell*, *Sussex*, *Leicester*, and *Clinton*, thought not to be unjust; Queene *Elizabeth* somewhat angry, said openly, that the *Scottish* woman should never want an Advocate, as long as *Norfolke* lived; and thought it enough to impart the crimes objected by *Murrey*, unto every one of the privie Councell, and also unto the Earles of *Northumberland*, *Westmerland*, *Shrewsburie*, *Worcester*, *Huntington* and *Warwicke*, called together with an oath of secrecie, lest they should prejudice either partie. And when *Murrey* was called home, and *Boyde* (as it was commonly reported) plotted to steale away the Queene of *Scotland*

Scotland out of prison, the matter was put off unto another time; Queene *Elizabeth* from her heart hating the insolencie of the *Scots*, in depriving of their Queene.

Murrey a little before his departure, had craftily proposed unto *Norfolke*, the marriage with the Queene of *Scotland*, and also secretly by *Melvin* to the Queene a hope to be restored into her Kingdome (as wee shall declare anon) and at the same time to draw the love of Queene *Elizabeth* from the Queene of *Scotland*, he had spread rumors that shee had transposed her right unto *England* unto the Duke of *Anjeou*, and that the transcription was confirmed at *Rome*; and shewed also Letters (whether true or forged I will not say) which the Queene of *Scotland* had written unto her friends, in which shee both charged Queene *Elizabeth* as though shee had not used her according to her promise, and bragged of hope of ayde from some other persons.

This

This put Queene *Elizabeth* in great feare, yet could not shee conjecture from whence this new hope should arise, the civill warre increasing so in *France*, that the Bishop of *Rhedon* was sent unto her by the King, to request her not to intermeddle with the affaires in *France*, and the Duke of *Alba* who was come the last yeare into the *Netherlands* to profligate the Protestants Religion, had very troublesome businesse come upon him.

But, as it came to light afterward, *Robert Ridolphus* a *Florentine*, who had lived long at *London*, as a Merchant Factor, was suborned by Pope *Pius Quintus* (who durst not send a Nuntio openly) to stirre secretly the Papists in *England* against Queene *Elizabeth*, which he did both diligently and secretly. A small suspition was also growne out of the secret conferences at *Yorke*, betweene *Lidington*, the Bishop of *Rosse*, and *Norfolke*, whom they besought to joyne his advice and

and care to helpe the moſt diſtreſſed Queene, offering unto him alſo her in marriage, which he, as a thing full of danger, rejected, with a modeſt anſwer: yet he promiſed not to abandon the diſtreſſed Queene, in as much as was lawfull for an honourable man to doe, ſaving his allegeance to his Queene and Country. *Ligon* the ſervant of *Norfolke*, a great Papiſt, much increaſed the ſuſpition, by his often going to *Bolton* (the Lord *Scroopes* Caſtle) where the Queene of *Scotland* was kept by *Francis Knolls*, under the pretence of viſiting *Scroops* wife, who was ſiſter unto *Norfolke*. Although no certaintie was of this, yet for more ſuretie, the Queene of *Scotland* was conveyed from *Bolton*, where all the bordering neighbours were Papiſts, farther into the Realme, unto *Tutburie*, and delivered unto the cuſtodie of *George* Earle of *Shrewsburie*.

Anno

Anno 1569.

NOw *Murrey*, who had made himselfe a secure way to returne into *Scotland*, by the hope made to the Queene of *Scotland* of her restitution, and to *Norfolke*, and to others in *England* (for thee had repressed the *Scots* that lay in wait to kill him, and charged them not to impeach his returne.) As soone as he came unto *Edenburgh*, he called the Noblemen friends to the Queene, under the colour to consult with them about her restitution. And when *Hamilton* Duke of *Chasteauleroy*, appointed Lieutenant by the Queene, and *Herris* perswaded by the Letters of the Queene, too much credulous, came thither first, *Murrey* fearing some traps, circumvented them; and staying for no moe, put them in prison, and forthwith annoyed & vexed the friends of the Queene with fire and sword.

Hereupon

Hereupon were rumours ſpread in all places of *England* againſt *Murrey*, namely, that he had made a pact with Queene *Elizabeth* that the young King of *Scotland* ſhould be delivered unto Queene *Elizabeth*, to be brought up in *England*: That the Caſtles of *Edenburgh* and *Sterling* ſhould be furniſhed with Garriſons of *Engliſh* men: That *Dunbritton* ſhould be wonne for the benefit of the *Engliſh*: That *Murrey* ſhould be proclaimed ſucceſſor unto the Realme of *Scotland*, if the King died without iſſue, & ſhould hold the Kingdome of Queene *Elizabeth*, by fealtie and homage. Theſe reports increaſed, and with a certaine probabilitie did ſo poſſeſſe mens mindes thorow all *Britaine*, that Queene ELIZABETH thought good, for the conſervation of her owne credit, and for the good of *Murrey*, to wipe away theſe blots. Therefore in a writing printed, ſhee declared in the word of a Prince, that theſe reports

ports were moſt untrue, and deviſed by them who envied the tranquillitie of both the Kingdomes; and that there had beene no pact either by word or writing betweene her or her Agents and *Murrey*, ſince he came laſt into *England*, that ſhee knew of; but that the Earle of *Lennox* Grandfather of the yong King had requeſted, that the King if he could not be ſafe in *Scotland* from the plots of wicked men, might be ſent into *England*. Moreover, ſhee affirmed, that whatſoever is ſaid of the paction betweene *Murrey* and the Earle of *Hertford*, namely, that they would give mutuall helpe the one to the other, to get the Crownes of both the Kingdomes, to be utterly falſe and untrue. Laſtly, that ſhee was not the cauſe why the tranſaction betweene the Queene of *Scotland* and her little ſonne was not concluded; and that ſhee will labour all that ſhee may, that it may be effected. And indeed ſhee did her beſt endevour, though

ſhee was toſſed on the one ſide with feare out of the inveterate emulation, which doth never die betweene women Princeſſes; and on the other ſide, with compaſſion remembring oftentimes the frailtie of mankinde.

The Queene of *Scotland* kindled more this compaſſion, and miniſhed the feare with her often and loving Letters; in which ſhee ſolemnly promiſed, both for the courteſie which ſhee had found at her hands, and alſo for the neere bloud of kindred which was betweene them; that ſhee would attempt nothing againſt her, and that ſhee would not be beholding to any other Prince for her reſtitution, but onely unto her. In ſo much that Queen *Elizabeth* dealt earneſtly with *Murrey*, by *Wood* his Secretarie, & with other *Scots* about the reſtoring of her unto her former dignitie and eſtate, and if that could not bee granted, then that ſhee might be joyned with her ſonne; and if that could

could not be granted neither, yet that shee might live a private life at home among her friends, freely, securely, and honourably. But shee could not stirre or move *Murrey* (who had all the government in his hand) to yeeld a jot.

About the same time, a still rumor went up and downe amongst men of the better sort, that the Duke of *Norfolke* would marry the Queene of *Scotland*, which was a thing well taken of many, but in sundry manners, according as men wished. For the *Papists* hereby hoped to have some good for their Religion; and others hoped some profit would arise thereby unto the Common-wealth. But many men, who saw the Queene was not minded to marrie, and that forreigne Princes, enemies unto *England*, did cast their eyes upon the Queene of *Scotland*, as the most certaine heire of *England*, thought it would be a better way to establish quietnesse, and to containe the Queene of

Scotland within bounds; that ſhee were married to the Duke of *Norfolke*, the greateſt and moſt honourable man of *England*, and a man in the love of the people, and bred up in the Religion of the Proteſtants, rather than to a forreigne Prince, who might bring both the Kingdomes into danger by her meanes, and alſo come ſo to inherit both the Kingdomes, which they heartily wiſhed might be conſolidated in a Prince of the *Engliſh* Nation, if the King of *Scotland* ſhould happen to die, whom they alſo purpoſed to bring into *England*, that he being the true heire of *England*, being brought up amongſt the *Engliſh*, might be better loved of the *Engliſh* men. And thus all the ſcruples about the ſucceſſion might be taken away, Queene ELIZABETH ſhould have no cauſe to feare the Duke, and the Queene of *Scotland*; when ſhee had the King in her hands. Moreover, that the Duke ſhould attempt nothing againſt him,

him, but love him more dearely; They determined to espouse *Margaret* the Dukes onely and little daughter unto him, to be married together when they came to riper yeares. Amongst these were the Earles of *Arundell*, *Northumberland*, *Westmerland*, *Sussex*, *Pembrooke*, and *Southampton*, and very many *Barons*, yea, and *Leicester* himselfe, whether in policie, and to worke the Dukes destruction, it is uncertaine: yet all these thought it good to acquaint the Queene with the matter, and to leave the decision thereof to her pleasure, and that shee should prescribe the conditions for the full securitie and safetie of her owne person, Religion and the Realme. But now take the matter briefly if you please, from the very beginning out of the written Confession of the Duke, which I have seene, and the memorials of the Bishop of *Rosse*, who was the greatest dealer in this businesse.

When the Commiſſioners met at *Yorke* the laſt yeare, *Lidington* and the Biſhop of *Roſſe* to winne his favour, talked with the Duke of a marriage to be made betweene him and the Queene of *Scotland:* and ſo did *Murrey* himſelfe with the Duke at *Hampton* Court, who in private talke with the Duke, and alſo with many others, fained that he wiſhed nothing more, than that matters in *Scotland* being ſet in good order, the Queene of *Scotland* his deareſt ſiſter, might be reſtored unto her former dignitie and eſtate, ſo that onely ſhee would ſincerely and unfainedly receive into her former favour and grace her ſubjects, and that all the remembrances of all offences might bee quite forgotten. Yet he feared, if ſhee married a husband out of her owne choice, from *France*, *Spaine*, or *Auſtria*, that ſhe would revenge the injuries ſhee had received, change the Religion received in *Scotland*, and procure great danger unto

unto *England*. To prevent these things, he promised to bestow all his labour, that where shee who had first married a boy, then a rash and heady young man, and lastly to a madbraine (those were his very words) might now be married to the Duke, a man of discretion; which thing might turne unto the tranquillitie of both the Realmes, the securitie of both the Princes, and especially to the establishing of Religion, since he (such was his respect unto the Queene of *England*) might more prosperously containe *Scotland* in the amitie of the *English*, and might with the more ease draw the Queene of *Scotland* unto the true Religion which hee professed. With these same things *Murrey* also secretly acquainted the Queene of *Scotland* by *Robert Melvin*, and offered his labour very officiously, toward the effecting thereof. But the Duke answered, that he could determine nothing about the marriage, be-

fore that ſhee did cleare her ſelfe of the crimes objected againſt her; yet *Roſſe* as diligently as he could, ceaſed not to draw him to it, being unwilling.

A few dayes after, *Nicholas Throgmorton* met the Duke in the Court at *Weſtminſter*, unto whom he profeſſed and offered his ſervice very kindly, and ſignified that *Leiceſter* would talke with the Duke, about the marriage between him and the Queene of *Scotland*, which *Throgmorton* ſaid, ſeemed ſtrange to him, ſince *Leiceſter* himſelfe ſued for the ſame marriage not long ſince. But he willed the Duke in friendſhip, if it were ſo, that he ſhould give the honour of that marriage unto *Leiceſter*, who had beene before time a ſuiter therein. But if hee ſtood ſtifly in it, to denie and refuſe it, becauſe that the *Scots* did charge her with very many hainous crimes. But yet, ſaid *Throgmorton*, I wiſh from my heart, that ſhe were married unto you, as well for the good

good of Religion, as alſo that ſhee may not depend of any other but on our Queene. Yet this I forewarne you, if you doe any thing in this matter, let *Leiceſter* guide you by advice; for you of your ſelfe ſhall hardly get the Queenes conſent.

A day or two after, *Leiceſter* moved the matter to the Duke, who anſwered juſt even as *Throgmorton* forewarned him; and when he came to ſpeake of the crimes, *Leiceſter* extenuated the ſame, and called *Richard Candiſh* to witneſſe, whoſe ſervice (though ſuſpected) hee commended unto the Duke. Then *Leiceſter* told *Pembrooke* of the matter, and the Duke told *Arundell*; and they together with *Throgmorton* in their Letters commended unto the Queene of *Scotland*, the Duke as a fit husband (which *Murrey* had done alſo before:) The *Duke* alſo wrote and ſignified his love, and offered his ſervice in very loving words.

From that time he imparted unto them all the Letters he wrote unto her, or received from her; and they talked oftentimes with *Roſſe* about the manner of concluding it. And by *Richard Candiſh* they propounded in the yeare one thouſand five hundred threeſcore and eight, unto the Queene of *Scotland* theſe Articles written with *Leiceſters* hand: *viz.*

1 *That ſhee attempt nothing to the hurt of the Queene of* England *and her children in the ſucceſſion of the Kingdome of* England.

2 *Shee ſhould make a league defenſive and offenſive betweene the two Realmes.*

3 *Shee ſhould eſtabliſh the Religion of the Proteſtants in* Scotland.

4 *Shee ſhould receive into her favour the* Scots *which were now her adverſaries.*

5 *Shee ſhould revoke the aſſignation of the Kingdome of* England *made unto the Duke of* Anjeou.

6 *Shee ſhould marrie ſome* Engliſh Noble-

Nobleman, namely, the Noble Prince Thomas *Duke of* Norfolke.

If shee gave her consent unto these Articles, they promised to procure the Queene of *England's* assent, and that she should be shortly restored unto her Realme, and also be confirmed in the succession of *England*. Shee readily admitted them all, but onely that shee could say nothing unto the league, before the *French* King was certified thereof. Shee protested that there was no assignation made unto the Duke of *Anjeou*; yet shee would procure him to make a release and renunciation (if they stood upon it.) And willed them above all things, to get the consent of the Queene of *England*, lest some hurt did come unto her and the Duke for want thereof, which shee had experimented in the marriage with *Darly* without her consent. Yet they thought best to trie first the mindes of more Noblemen; of whom most gave their consent, with

with this clauſe, *So that the Queene was not againſt it.* Neither did the Kings of *France* and *Spaine* diſlike it, onely they feared *Aburrey*, leſt he that had firſt broached the matter, and promiſed to further it all that hee could, ſhould firſt hinder it. Yet they agreed on this, that *Lidington* who was then expected, ſhould be the firſt to try the minde of Queene *Elizabeth.* In the meane time the Duke imparted to the Lord *Lumley* whatſoever had beene done in this buſineſſe, and with much adoe obtained of *Leiceſter* to aske the advice of ſome other friends. Yet a while after, he opened the matter by the conſent of *Pembrooke* unto *Cecill* alſo.

About which time, *Leonard Dacres* deviſed and compaſſed to ſteale ſecretly away the Queene of *Scotland* out of priſon at *Whinfield*, where ſhee was kept by the Earle of *Shrewsburie*. *Northumberland* being privie unto this device, ſignified it unto the Duke, who forbade

them

them to doe it; for he feared they would have delivered her to bee married unto the King of *Spaine*, and hoped to obtaine the consent of Queene *Elizabeth*, ere it was long.

But the rumor of this marriage came more plainly to the Queenes eare, by the Ladies and women of the Court, who smell out cunningly and quickly these love matters. Which when the Duke understood to be true, he dealt very earnestly with *Leicester*, both by *Throgmorton* and by *Pembrooke*, to open the matter speedily unto the Queene: he made delaies, and lingred, as it were, to stay for a fit time to speake. But *Cecill* willed the *Duke* (who was now full of care) to open all the matter to the Queene himselfe, whereby all scruple might be speedily taken away from the Queene and from himselfe also. *Leicester* was against it, and promised to open the matter to the Queene in the progresse.

But

But in the time that he put it off with ſmooth words, from one day unto another, the Queene being at *Farneham*, ſet the Duke at her Table, and bitingly willed him to take heed on what Pillow he laid his head. Then at *Titchfield Leiceſter* was ſomewhat ſicke, or elſe fained ſo to be : and unto the Queene that came to ſee him, and cheared him comfortably, and perceiving his ſpirit and blood to be drawne inward for feare, with ſighs, and asking pardon of his fault, he opened the whole matter from the beginning.

At which time the Queene called the Duke unto her in a gallery, and chid him very much, that without her privitie he had ſued unto the Queene of *Scotland* in the way of marriage; and commanded him upon his allegeance, to ceaſe from further medling therein. He promiſed ſo to doe willingly and gladly, and doubted not to ſay (as though he cared not a whit for her)

her) that his revenues in *England*, were little lesse than those of the Kingdome of *Scotland*, at this time lamentably impoverished by the warres; and also when he was in his Tennis-court at *Norwich*, he seemed to himselfe to be equall, after a sort, unto many Kings. But from that time, he beganne to be more dejected in minde, and when he saw the Queene to looke and speake to him more sternly, and *Leicester* in a manner estranged, and most of the Noblemen to steale away out of his companie, scarce saluting or speaking to him, hasted unto *London* without taking any leave, and went in to *Pembrooke*, who bade him be of good cheare, and comforted him very much. And on that same very day Queene ELIZABETH rejected with shew of displeasure the *Scottish* Embassador, intreating her very much to deliver the Queene captive, and bade that shee should behave her selfe quietly, lest shortly shee

ſhee ſaw them on whom ſhe chiefly relied to hop headleſſe.

And now when the rumor of the marriage was hotter every day than other, and the *French* Embaſſador exceedingly urged her deliverie (more by the perſwaſion of ſome *Engliſh* men, than by the commandement of the *French* King, as it was after knowne:) new ſuſpicions from every place were laid hold on: and *Cecill* who applied all his care for the good of the Republike and Religion, was very diligent to finde the depth of the matter; and therefore wrote unto *Suſſex* Lord Preſident of the North, who was a familiar friend, & neere allied in bloud unto the Duke, to certifie the Queene what he knew of the Dukes marriage. But his anſwer is unknowne unto mee. And where it had beene obſerved, that the Duke had many ſecret conferences with *Murrey* Regent of *Scotland* at *Hampton* Court; *George Cary* ſonne to the Lord *Hunſdon*

was

was sent secretly unto *Murrey*, to learne of him if the Duke had imparted unto him any thing about this marriage. The Duke in the meane while, terrified with a false rumor spread, that there was a commotion raised in the North, and being certified by *Leicester*, that he should be put in prison, went out of the way into *Norfolke*, whiles his friends in the Court (who had promised so much) might avert and turne aside the storme that hung over his head, and he himselfe might mitigate the Queenes displeasure by his humble Letters. But there were men set about him to marke and note all his actions. When hee found no comfort among his friends, and *Heydon*, *Cornwallis*, and other worshipfull Gentlemen of those parts, perswaded him, if he were guiltie of any offence toward the Queene, to flie unto her mercie; he wavered, and was tormented with diversitie of cares.

In

In this while was the Court in quandarie, ſuſpitious and fearefull that he would breake out into rebellion; and they ſay, it was determined to kill the Queene of *Scotland* preſently if he did ſo.

But he, out of his inbred good nature, and out of his conſcience, that he had not offended againſt any Law made treaſon (for that act of marrying the Kings ſiſters, or brothers, or aunts children, without the Kings knowledge, made treaſon by *Henry* the eighth, was repealed by King *Edward* the ſixt) and alſo for feare leſt the Queene of *Scotland* out of ſuſpicion ſhould be uſed more hardly and extremely, he ſent Letters unto his friends in the Court, and told them, that he ſtept aſide unto his houſe, that in time, and by his abſence, hee might procure a remedie againſt malicious rumours, which are at all times entertained with open eares in the Court, and asked pardon moſt humbly for his offence, and

and forthwith tooke his journey toward the Court.

As he returned, at Saint *Albans*, *Owen* a Gentleman belonging to the Earle of *Arundell*, sent secretly by *Throgmorton* and *Lumley*, who were committed, willed him to take all the fault upon himselfe, and not to lay it upon *Leicester* and others, lest he should make his friends his enemies. There *Edward Fitz-Gerard* brother unto the Earle of *Kildare* (Lieutenant of the Pensioners) met and received him, and conveyed him unto *Burnham* three miles from *Windsor* (where the Queene then lay.) Foure daies after, the Abbot of *Dunfermelling* delivered the letters of *Murrey*, Regent of *Scotland*, unto the Queene; in which he shewed her, that the Duke dealt with him secretly at *Hampton* Court, to favour his marriage with the Queene of *Scotland*; and that if he would not, he threatned him exceedingly, and that he promised to favour it, that hee might

might prevent and avoid the await and ambuſcado laid by one *Norton* to kill him; from whom & others, the Duke gave his word he ſhould returne without danger. And that ſhortly after, the Duke requeſted him by his Letters written in Ciphers, to give his conſent unto the marriage. Moreover, that the Duke did ſignifie unto him by *Boyd*, that he would never forſake and abandon the Queene of *Scotland*; and further, that the agents of the ſame Queene had almoſt perſwaded the Regent that Queene *Elizabeth* had conſented to the marriage; and alſo that ſhee had offered to her the hope of the Kingdome of *England*. And Queene *Elizabeth* alſo found out, that ſhee had ſignified unto certaine Noblemen of *England*, to winne them unto her ſide, that ſhee went about that buſineſſe, which would be very neceſſary for the moſt certaine ſecuritie of the Queene of *England*, and the like ſafetie for both the Kingdomes.

The

The Duke, who had secret and warie commerce of Letters (which were sent privily in Ale-bottles) with the Bishop of *Rosse*, *Leicester* and *Throgmorton*, was about this time examined about this marriage with the Queene of *Scotland*, and his secret conferences with the Bishop of *Rosse*, and confessed most things, was sent to the Tower of *London*, under the keeping of Sir *Henry Nevill* Knight, being bitterly reproved that he had departed from the Court without leave obtained, and charged as though he had intended to rebell. Two daies after, the Bishop of *Rosse* was examined in like manner, and *Robert Ridolph*, the Gentleman of *Florence*, whom the Bishop of *Rosse* and others used familiarly, is delivered unto the custodie of *Francis Walsingham*. The Earle of *Pembrooke* is commanded to keepe his house, and is privately examined; yet in regard of his Nobility and old age, he had the favour, that his examination

nation was not ſet downe in writing. Which thing he required, becauſe he could not write. Some Noblemen were forbidden the Court, as privie to theſe matters, who humbly confeſſed that they with the Duke agreed to the marriage, which *Murrey* had firſt propounded; yet ſo that the Duke, the Queene of *Scotland*, and they, willed that the matter ſhould be referred unto the Queene before the marriage was to be ſolemnized, and deſired pardon for their offence. In like manner the Earles of *Northumberland* and *Weſtmerland*, who were of this counſell, ſubmitted themſelves unto *Suſſex* Lord Preſident of the North, and beſought him to make interceſſion unto the Queene for their pardon. Alſo ſundry Pamphlets came out againſt this marriage, and againſt the Queene of *Scotland*, and the right by which ſhee claimed to become heire unto *England*; wherein they ſhewed their wits with ſuch malapert

malapert ſaucines, that the Queene thought once to have forbidden them by ſevere edict, and permitted the Biſhop of *Roſſe* (winking thereat) to make anſwer; who forthwith ſet forth a booke under the name of *Morgan Philips*, againſt them, wherein he defended the honour of his Queene, her right to ſucceed, and the government of women (for this alſo was impugned) but ingenuouſly acknowledged afterward in his Commentaries, that he had his arguments for her right of ſucceſſiō, ſecretly from *Anthonie Browne* chiefe Juſtice in the common Place, and *Carrell* an excellent good common Lawyer.

Shortly after, befell the rebellion in the North, raiſed by the Earles of *Northumberland* and *Weſtmerland*, with many other Gentlemen. Who when they underſtood for certain, that the Queene of *Scotland* (whom to ſet at libertie, they had principally taken armes) was carried away from *Tutburie* unto *Coventrie*, under

under the keeping of the Earles of *Shrewsburie* and *Huntingdon*; and alſo moved with the great preparation of the Queene, they with a few others fled into *Scotland*.

Anno 1570.

THe rebellion in *England* being now quenched, *Murrey* Regent of *Scotland* laboured diligently, that the Queene of *Scotland* might be delivered into his hands, and for that cauſe he both offered hoſtages, and alſo to reſtore unto them the Earles of *Northumberland* & *Weſtmerland*; and brought to paſſe, that the Biſhop of *Roſſe*, as the kindler of the rebellion, was committed unto the cuſtody of the Biſhop of *London*. Then to purchaſe the good will of Queene *Elizabeth*, in the moneth of Januarie he came with an Armie into the borders of *Scotland* towards *England*,

land, to hunt out the *Englisſh* rebels, of whom he tooke a few, and thoſe of ſmall account; but at laſt he found the Earle of *Northumberland* lurking about *Hartlawe*, amongſt the theeves on the borders, diſcovered by his hoſt (one of the *Graybams*, who betrayed him) and ſent him unto *Lochlevin* to be kept; and in this journey he annoyed and ſpoiled the borders exceedingly.

But in the ſame moneth, after he had taken great paines, & thought himſelfe in great ſecuritie, he was ſhot from out of a privie place, thorow the body a little beneath the navell, with a Bullet, as he rode thorow the ſtreets of *Lithquo*, by one *Hamilton*, who eſcaped by and by into *France*, and lived certaine yeares after, oftentimes proteſting, that he did it to revenge himſelfe of a private grudge againſt him, he not being able to endure patiently the injuries he offered unto him. For *Murley* had baniſhed the

fellow, for that he had ſtood for the Queene, and impriſoned him, threatning now and then to hang him, untill he reſigned and gave away unto a ſervant of *Murrey*, a little ground which came to him by his wife; whereupon his wife fell mad, and in a furious rage he brake priſon, and committed the murder. Neither could the man after be perſwaded in *France* (when he ſeemed to be a man fit for a deſperate action) to attempt the ſame againſt the Admirall *Coligni*, oftentimes ſaying, that he was the revenger of his owne juſt griefe, for which he was ſorry; but he would not bee the revenger of another mans, neither for gold nor requeſt.

Hereupon was there much talke of the Regent that was ſlaine, thorow all *Britaine*: The moſt wondering at vaine matters, namely, the dreame of his mother, of the Lyon and the Dragon fighting in her wombe, after that King *James* the

the fifth had had his pleasure on her. Among the wiser sort, according to their partiall affections, commended he was by some, for destroying the Romane Religion in *Scotland*, the conservation of the King a childe, the equall administration of justice, and his munificence and liberalitie toward learned men, and *Buchanan* above the rest. On the other side, he was reproved by others, as though hee tooke Religion for a cloake, and enriched himselfe and his friends with the spoyles of the Church, and how he was not onely injurious, but also ungratefull unto his sister the Queene, that deserved well at his hands, and insulted over her womanly weakenesse. And these men out of their suspitions, and the lewd disposition of many bastards, did gheesse and conjecture, as though he would not have spared the sonne, having already deprived the mother of her Crowne. The Queene of *Scotland* her selfe

was very ſorry, that he was taken away by that ſudden and violent death, before (as ſhee ſaid) he had purged his ſinnes againſt GOD, his Countrie and Princeſſe, by heartie penitencie. But all the *Engliſh* men that favoured the Duke of *Norfolke*, accuſed him (as farre as they durſt) for a craftie and falſe deceiver.

The Noblemen of *Scotland* who ſtood for the King (not admitting the *Hamiltons* and the reſt, who had ſtood for the deprived Queene) being to meet for the election of a new Regent, required the advice of Queene ELIZABETH. Shee anſwered, ſhee would not meddle in the creation of a Regent, leſt ſhee ſhould ſeeme to prejudice the Queene of *Scotland*, whoſe cauſe was not yet decided and judged. But they choſe *Mathew* Earle of *Lenox*, the Kings Grand-father Regent, Queene *Elizabeth* being not diſcontent with it, for ſhee knew that he would be very loving

unto

unto his young Nephew out of naturall affection, and kinde unto the *Englisſh* men, in regard of the benefits he had received at their hands. And ſhee did not doubt but he would be at her becke, ſince ſhee had his wife in her hands.

Whiles Queene *Elizabeth* ſhewed favour thus unto the Kings ſide in *Scotland*; the King of *Spaine* did not abandon the Queene captive; but by the meanes of *Hamilton* Rector of the Church of *Dunbar*, he ſent ſecretly out of the *Low-Countries*, great ſtore of Armour and Gun-powder, and ſeven great peeces of Ordnance, and ſome money unto *Huntley* the Governour of the North part of *Scotland* for the Queene. In this while, he, the Duke of *Chaſteauleroy*, and the Earle of *Argile*, Lieutenants of the Queen, by a common conſent, and with the conſent alſo of the Queene, ſent *George* Lord *Seton* Embaſſador unto the Duke of *Alba*, who declared his meſſage unto him in theſe

words: *That he was ſent out of a Kingdome deprived of publike peace, and of a worthy Princeſſe, through the treacherie of diſloyall ſubjects, and that the ſubſtance of his Embaſſage conſiſted on theſe points: That ayd may be given unto them, whereby the Queene may be redeemed out of miſerable captiuitie in a forraigne Land, and the Realme delivered from the oppreſſion of ſtrangers: That the* Scottiſh *rebels might be forbidden to traffick in the Dominions of the King of* Spaine: *And that the* 10000. *Crownes aſſigned by him to the Queene of* Scotland *might be paid.*

The Duke of *Alba* anſwered; That he would be ready and willing to further this her cauſe, upon all occaſions, unto the King of *Spaine*, but that he could not prohibit the traffick of the *Scottiſh* rebels (becauſe it was contrarie to the libertie of the *Low-Countries*) and promiſed that he would diſburſe the money very ſhortly for her uſe. In the meane time the

Lord

Lord *Seton*, the more to purchase the favour of the King of *Spaine* and the Duke of *Alba*, went in disguised apparell unto the States, and drew many of the *Scots* that served them, unto a revolt, by faire words, good cheare, and such like enticements. And when he was at the point to be put to the torture, he hardly, and with great danger of his life, escaped unto the Duke of *Alba*, who promised to pay ten thousand Souldiers for halfe a yeare, but in vaine, because hee could not send over the Souldiers into *Scotland*, the warres were so hot in the *Low-Countries*.

In the meane time, the Bishop of *Rosse* who had followed the businesse of the Queene with good discretion, and was committed unto the custodie of the Bishop of *London* (because he had secretly kindled the rebellio in the North) being now delivered, brought to passe, that the *French* King, by his Embassador, to wit, *Monluc*, dealt

very earneſtly with Queene *Elizabeth* about the deliverance of the Queene of *Scotland*, who complained very much, that ſhee was kept ſtraiter in priſon, and that alſo under the Earle of *Huntingdon*, her profeſſed enemie and competitor (ſince he as openly made claime unto the right of the Kingdome of *England*, as ſhee did.) The ſame alſo was urged exceedingly by the King of *Spaines* Embaſſador, in his Kings name. The Queene made anſwer (after ſhee had rehearſed the craftie purpoſes & devices of ſundry men for the deliverie of the Queene of *Scotland*, who as ſhee cloſely inſinuated, was privie to the late rebellion) *that it would be great inconſideration, and dangerous folly to let her goe at libertie, who doth aſpire ſo openly by ſuch evill courſes, into the Kingdome of* England: *That of neceſſitie ſhee was enforced to keepe her ſtraighter in priſon, to ſend away many of her ſervants from her, whom ſhee had drawne thither in great number,*

ber, and to joyne the Earle of Huntingdon *(in whom shee did acknowledge no right unto the Kingdome, but some kindred with her) unto the Earle of* Shrewsburie, *whom shee had appointed to be her keeper, who long since began to suspect and distrust the fidelitie of some of his servants, and had perceived many of them daily wonne to favour the Queene of* Scotland, *yet that the Earle of* Huntingdon *had beene removed from her a good while since.* Moreover, shee promised *that shee would omit no thing shee can doe, to make an end and a composition between the Queene and the* Scots; *and protested that shee will not revenge the wrongs shee hath received at her hands. But yet shee hoped that the Kings of* Spaine *and* France, *and the Queene of* Scotland *also, will give her leave to make provision for the tranquillity both of her selfe and her subjects; which nature, reason, and her honour doe claime at her hands. If any of them shall devise any better and more evident meanes to avoid perill and danger, that shee would*

with a good will heare and embrace the ſame.

After theſe things, the privie Councell of *England* ſate oftentimes, and conſulted whether it was beſt that ſhee were ſent backe unto her owne ſubjects, or kept ſtill in *England*, and what courſes were beſt to be taken for the beſt preſervation of the Kingdome, the Queene, and Religion.

About which time Pope *Pius Quintus* had cauſed his *Bull* or *Sentence Declaratorie* againſt Queen *Elizabeth* (the pretenſed Queene of *England*) and the Heretikes adhering unto her (I uſe the very words thereof) wherein alſo all her ſubjects were declared to bee abſolved from their oath of fidelitie, and all other dutie, &c. And they that afterward obeyed her, were excommunicated, which was dated the five and twentieth day of February, in the yeare of our Lord, one thouſand five hundred threeſcore and nine) to be fixed on the gates

gates of the Palace of the Bishop of *London*, in the night. Hereupon suspitions increased, that some dangerous matter was in working. And forthwith another rebellion was about to breake out in *Norfolke*, which was quenched in the beginning; some Gentlemen of *Norfolke* desiring to deliver the Duke (who was exceedingly loved of all men) had devised at *Harleston* Faire, by sounding of a Trumpet, to gather a multitude, under the pretence to expulse strangers out of the Land.

John Felton, who had fixed the Popes Bull on the Bishop of *Londons* gate in the night, being apprehended (for he would not flie when he might) being arraigned, with a stout courage confessed the deed, which yet he would not acknowledge to be any offence, was executed neere unto the place where he had fixed the same.

The same day *Felton* was arraigned, the Duke of *Norfolke* confessing

ſing his offence, and ſhewing great penitence, and having by his writing given his word not to deale any more about the marriage with the Queene of *Scotland* without the privitie of Queene *Elizabeth*, was brought backe from the Tower of *London*, to the great joy of the people, remaining at his owne houſe, under the keeping of Sir *Henry Nevill*. And indeed he could not be arraigned of treaſon by the Statute of 25. of *Edward* the third, as *Cecill* ſaid, who deſirous of the Dukes good, was earneſt to have him marry another woman, whereby he might be leſſe feared, and the publike tranquillitie conſerved. Yet ſome there were that thought he was let out of purpoſe, that he might be thruſt into ſome greater danger. And indeed moe things came every day to light than hee ſuſpected, and the credit of his moſt ſecret Counſellours were corrupted with hopes, or with bribes.

Theſe

These times were full of suspitions and conspiracies; for there conspired to deliver the Queene of *Scotland* out of prison *Thomas* and *Edward Stanley*, the younger sonnes of the Earle of *Derby*, by the daughter of *Thomas* Duke of *Norfolke*, *Thomas Gerard*, *Rolston*, *Hall*, and others in *Derby-shire*: But *Rolstons* sonne, who was one of the Pensioners, opened the conspiracie, and they were all cast into prison, but *Hall*, who escaped into the Ile of *Man*, and from thence unto *Dunbritton*, where being taken at the winning of the Castle, he was conveyed unto *London*, and there executed as a Traytor. And the Bishop of *Rosse* himselfe lately delivered out of prison, was againe delivered unto the custodie of the Bishop of *London*, for that he had secret conference with the Earle of *Southampton*, a man wholly addicted to the Romane Religion.

Queene *Elizabeth* (her minde being in great doubt of trouble, upon

upon the publication of the Bull? and the inſurrection intended in *Norfolke*) ſent *Cecill* and *Mildmay* unto the Queene of *Scotland*, who then lay at *Chatteſworth* in *Derbyſhire*, to conſult and deviſe with her by what meanes the diviſion in *Scotland* might in the beſt manner be compounded, ſhee reſtored unto her former eſtate, and proviſion made for the ſecuritie of Queene *Elizabeth*, and the ſafetie of her little ſonne. Shee did nothing but deplore her moſt diſtreſſed eſtate, complaine of the craftie policies of *Murrey*, excuſe *Norfolke*, and put all her hope in the benignitie of Queene *Elizabeth*. They for the making and eſtabliſhing of a ſincere league of amitie betweene the Realmes, propounded theſe Articles.

1 *The Treatie of* Edenburgh *ſhould be confirmed:*

Shee

Shee should renounce her title and right to England *during the life of Queene* ELIZABETH.

2. *Shee should not renew nor keepe any League with any Prince against* England.

3. *Shee should not admit or receive any forraine Souldiers into* Scotland.

4 *Shee should have no practice nor intelligence with any* Irish *or* English *men, without the Queenes knowledge.*

5 *She should restore the* English *fugitives and rebels.*

6 *Shee*

6 *Shee should make amends or recompence for the hurt done unto the* Englisſh *borderers.*

7 *Shee should enquire, according to the Law, for the murders both of* Darly *and* Murrey.

8 *She should deliver her sonne pledge into* England.

9 *Shee should not marrie with any* Englisſh *man without the knowledge of the Queene of* England, *nor with any other against the wills of the States of* Scotland.

10 *The* Scots *should not*

passe

passe over into Ireland *without leave obtained out of* England.

11 *For the confirmation and assurance whereof, the Queene and the Commissioners to bee appointed, should set to their hands and seales.*

12 *Six hostages, whom the Queene of* England *should name, should be sent into* England.

13 *If the Queene of* Scotland *attempted any thing against the Queene of* England, *by her selfe, or by any other, she should lose all*

all her right (ipso facto) *which she claimeth in* England.

14 *The Castles of* Hume *and* Fast *Castle, to be kept by the* English *men three yeares.*

15 *Some Fortresse also in* Galloway *or* Cantire *should be delivered unto the* English *men, lest the* Irish-Scots *should infest* Ireland *from thence.*

16 *Lastly, the Estates of* Scotland *should confirme all and singular these things by the authoritie of Parliament.*

To

To these propositions shee out of her discretion did answer warily enough, upon the sudden; but shee referred them for a fuller answer unto the Commissioners (sent by her Lieutenants in *Scotland*) who were the Bishop of *Rosse*, her Embassadour in *England*, *Alexander Gordon* Bishop of *Galloway*, Uncle unto the Earle of *Huntley*, and *William* Lord *Levingston*, who afterward admitted some of these Articles, and rejected others. They answered, That the Treatie of *Edenburgh* should be confirmed, the title renounced during the life of Queene *Elizabeth*: That they must consider of the ancient league with *France*, which if they did not keepe, the Queene should lose her Dowrie; the *Scottish* Nation, of the which one hundred men at armes on horse-backe, and one hundred foure & twentie Archers are maintained in the Guard, Merchants, Students, many that possesse land by inheritance, and that have spirituall

tuall livings, should be put out, and lose their pensions, immunities and privileges which they enjoy, being very great, and *Scotland* should be deprived of the amitie and ayd of a most mightie Nation. Which things, except the *English* men did liberally and bountifully recompence, they cannot renounce and forsake the *French* league by any meanes: That they will not admit any forraine Souldiers, except in case of such a rebellion that cannot bee suppresst by Souldiers of their owne Countrie: That the Queene of *Scotland* shall have no intelligence with the Subjects of *England*, so that the Queene of *England* in like manner shall have none with the Subjects of *Scotland*, to the hurt of *Scotland*: If there be any *English* rebels or fugitives, they be in the hands of the *Scottish* rebels, and are to be demanded of them: The hurts done, are to be examined by Commissioners: For the murder of *Darly* and *Murrey*,

Murrey, let them be inquired of according to the Lawes of *Scotland*: That they cannot deliver the King for hostage, who is in the hands of them, that use the Kings name as a colour for their rebellion against the Queene: That it is strange, & a thing not heard of at any time, that a free Princesse should be prescribed in her marriage by a forraine Prince, and her owne subjects: That the *Scots* shall not be sent over into *Ireland*, if reciprocally the *Irish* men be tyed with the same condition, not to passe over into *Scotland*. For the more firme assurance of these things, they consented to give hostages whomsoever the Queene of *England* would name, except the Duke of *Chasteaukeroy*, the Earle of *Huntley*, *Argile* and *Atholl*. Moreover, they consented, that the Queene of *Scotland* should bee excluded from all her right of succession in *England*, if shee attempted any thing against the right of the Queene

Queene of *England*; ſo that the Queene of *England* might againe be tyed in ſome equall penaltie alſo, if ſhee attempted any thing againſt the Queene of *Scotland*. Concerning the Caſtles of *Hume* and *Faſt* Caſtle, they requeſted that they may be reſtored unto the Lord *Hume*, the true Lord and proprietarie of them, and that the *Engliſh* men would detaine them no longer from him: And that to deliver Fortreſſes in *Galloway* or *Cantire* unto forrainers, was no other thing, than to give a new occaſion of warre.

When they could not agree upon theſe Articles, and the Commiſſioners came not from the Regent of *Scotland*, and in the meane time it was reported and bruted, that ayd was earneſtly requeſted by her friends of the Pope, the King of *France*, and the Duke of *Alba*, for the deliverance and freeing of the Queene of *Scotland*, and the *Engliſh* rebels, as *Weſtmerland*, the Coun-

Countesse of *Northumberland*, and the rest, were conveyed secretly out of *Scotland*, nothing came of this Treatie: but yet

The Bishop of *Rosse* sent the Articles of this Treatie unto the Pope, and the Kings of *France* and *Spaine*, and insinuated unto them, that the Queene of *Scotland* must of necessitie yeeld unto them, unlesse they holpe her both with advice and other ayd very shortly, which he did most importunately request at their hands, but in vaine: for all they were earnestly busied with other matters.

Anno 1571.

A Little before this time, *Ridolphus* the *Florentine*, before named (who had used much merchandize and trafficke at *London* fifteene yeares) sent very secretly the Letters of the Pope unto the Queene

Queene of *Scotland*; in the which he promiſed his care and ſtudie to the utmoſt of his goods and labour, to advance the Catholike Religion and her; and required her to ſhew favour, and give credit unto *Ridolphus* in all things; and alſo that hee may underſtand by him, who now determined to returne into *Italy*, by what meanes he may doe any good, and give any relieſe unto the Catholike Religion, and remedie unto the common miſchiefes in *England* and *Scotland*. *Ridolphus* alſo in his owne private Letters requeſted the Queene to impart theſe things unto the Duke of *Norfolke*, and her friends, and that ſhee would commend him unto them. But ſhee delayed her anſwer (though the Kings of *France* and *Spaine*, and the Duke of *Alba*, wrote to the ſame effect) untill ſhee ſaw unto what end the treatie alreadie begun, would come.

For there was come, as from the King of *Scotland*, to talke of the

Scottiſh

Scottish affaires, the Earle of *Mourton*, *Petcarne* Abbot of *Dunfermelling*, and *James Mac-Gill*, who unto Queene *Elizabeth* (commanding them to lay downe evidently the causes of their depriving the Queene of *Scotland*, and to prove them to be just) shewed a tedious and long instruction or memoriall, wherein with a most insolent libertie and bitternesse of speech, they endevoured to prove the people of *Scotland* to be superiour and above their Kings, by the ancient privileges of the Kingdome of *Scotland*, by old forgotten and also late examples, collected from all places; yea, and by the authoritie of *Calvin* they also endevoured to prove, that the popular Magistrates are appointed and made to moderate and keepe in order the excesse and unrulinesse of Kings; and that it is lawfull for them to put the Kings that be evill and wicked into prison, and also to deprive them of their Kingdomes.

But they ſpake much of their lenitie uſed toward their deprived Queene, becauſe they ſuffered her to ſet her ſonne in her place, and to appoint governours unto him. That it proceeded out of the mercie of the people, and not for her innocencie, that they ſuffered her to live: and many other things which turbulent wits doe malapertly deviſe and invent againſt the royall Majeſtie of Kings. This memoriall Queene *Elizabeth* read, but not without indignation; and as a libell written in the ſlander and reproach of Kings, condemned it, though ſhee ſaid nothing: but unto the Commiſſioners ſhee anſwered, that as yet ſhee did not ſee a juſt cauſe of their abuſing and vexing the Queene in that manner; and therefore her will was, that they ſhould take ſome ſpeedy courſe for the quenching the diviſion and diſcord in *Scotland*.

Hereupon, at the houſe of *Bacon* Keeper of the great ſeale, it was pro-

proposed unto the Bishop of *Rosse*, the Bishop of *Galloway*, & the Lord *Levingston*, Commissioners for the Queene of *Scotland*; That for to give securitie unto the Kingdome and Queene of *England*, and unto the Noblemen that took the Kings part, the Duke of *Chasteauleroy*, the Earles of *Huntley* and *Argile*, the Lords *Hume* and *Herris*, and another Lord should be given for hostages; and the Castles of *Dumbritton* and *Hume* delivered unto the hands of the *English* men for three yeares: They answered, *It was not to be doubted, but the Queene of* Scotland, *who of her free will committed her selfe to the protection of the Queene of* England, *would also most willingly give her satisfaction in all things which might conveniently be done; but to deliver such great men, and such Fortresses, was no other thing, but to spoile and deprive the distressed Queene of the succour and strength of all her most faithfull friends, and of most strong places.* But they offered two Earles,

of whom one ſhould be one of the three named, and two Lords, to be hoſtages for two yeares; but that the Holds and Caſtles by the league could not be delivered unto the *Engliſh* men, except others in like manner were delivered unto the *French* men. *But* (ſaid *Bacon*) *all the Realme of* Scotland, *the Prince, the Noblemen and Caſtles, are not all ſufficient to give ſecuritie unto the Queene, and the moſt flouriſhing Realme of* England; *and therefore the Queene of* Scotland *was not to be let goe upon any ſecuritie the* Scots *could propoſe.*

Hereupon they immediatly gathered, and ſaid openly, that now at length they plainly underſtood, that the *Engliſh* were reſolved fully to keepe the Queene priſoner for ever in *England*; and withall, to breake off the Treatie, ſince they exacted ſo earneſtly ſuch ſecuritie, as *Scotland* could not by any meanes performe; yet the other Councellors of *England* proteſted, that they ear-

earnestly desired the deliverance of the Queene of *Scotland*, so that sufficient securitie were given. And to that purpose, they also talked with *Mourton* and his associates hereof, and of delivering the King into *England*, who in plaine termes answered, that they had no Commission to treat or deale either to receive home the Queene into *Scotland*, or to deliver the King into *England*. But the Commissioners of the Queene of *Scotland* rejected this speech as a frivolous excuse: *For certainly they that had authoritie to deprive the Queene, had also authoritie enough to restore and set her at libertie: neither needed they to looke for any authoritie from the rest of the Conspirators, since that their wicked fact had made them equalls* (facinus quos inquinat, æquat.) *As for the Prince he could not, being but five yeares old, give them authoritie; and as for the Regent, he had committed all the matter to Queene* Elizabeth, *and to her pleasure.* Therefore

fore they besought the Commissioners of *England*, that these men might be compelled to consult thereof, or else the matter ended, and compounded upon equall conditions, without these men. But Queene *Elizabeth*, when shee saw nothing could be done to give her selfe, the King, and the Realme securitie, except both the factions agreed together; Shee thought it fitting that the Estates of *Scotland* which were shortly to assemble, did elect and choose out men who should endevour to make a composition. Hereupon *Rosse* and his associates openly complained, that many of the Queene of *Englands* Councellours did abuse the prudence of the Queene of *England*, and the patience of the Queene of *Scotland*, and to have deluded forraine Princes with their subtill policies, and brought the *Scots* in a vaine hope, to their great hurt. And indeed the Queene of *Scotland* stomacking and complaining of

of the same, and weary of these delayes, called away the Bishop of *Galloway* and *Levingston*, and commanded *Rosse* (whom the Queene of *England* had commanded to depart from *London*) to stay at *London*, by the right of an Embassador (which made a suspicion to grow) and appointed her friends in *Scotland* to take armes, and not trust any longer unto the truces which had beene hurtfull unto them.

For in the time when these things were done in *England*, they had sustained great losses, many had beene put to execution, more slaine, and *Dunbritton* the strongest Fort in *Scotland* taken, and *James Hamilton* Archbishop of Saint *Andrewes*, brother to the Duke of *Chasteauleroy*, as privie to the murder of the King, not so much as arraigned or tryed, was hanged, by the accusation of a Priest, who affirmed, that he had heard it in confession by one of the Regicides.

When now the captive Queene had no hope left, and was in great griefe, and all her servants but ten, and a Priest to say Masse, were sent away, and all her hope to obtaine her libertie was gone, shee could not refraine, but did open that which shee had long concealed in her minde. Shee therefore sent secretly unto the Duke of *Norfolke*, a long Commentarie of her purposes, which shee had written before time, and certaine love-letters in a private Character knowne to them two, and other letters to be carried to the Pope, and the King of *Spaine*, by *Ridolphus*, whom shee commended as one very carefull of her good: and her very friend *Higford* the Dukes Secretarie, who wrote out this Commentarie and Letters, in an usuall hand and letter, was commanded to burne it, but he hid it under the Matt in the Dukes chamber, and that of purpose, as it seemed. This *Ridolph*, once to the Duke himselfe, and

more

more times by *Barker*, reasoned thus: *That he had observed, that there were many Noblemen and Commons in* England, *that desired an Innovation; and those were of three sorts: Some that had beene in credit in the time of Queene* Maries *reigne, and now were not accounted of: Others, that were addicted to the Popish Religion, and grudged inwardly that they might not use it freely: And others that were not content with their estate, and hoped for better. These were ready, but wanted some Nobleman to be their Captaine or Leader, and forraine ayd. There could not be a fitter man for Captaine, and more noble than the Duke, who had the love of the Realme: And hee had great reason to revenge the wrongs done unto him, by his long detention in prison; and now to his reproach, not called unto the Parliament, in which he had a place and voice, as the chiefest Nobleman, and Earle Marshall of* England. And to perswade him the more effectually, he shewed him a roll of the Noblemen,

who had vowed to ſpend their lives and goods for him, if hee would attempt it. As for forraine ayd, he aſſured him that *the Pope (ſo that the Romiſh Religion might be advanced) would defray all the charges of the warre, who had alreadie laid in banke a great ſumme of money the laſt yeare when the Bull was publiſhed; of the which money* Ridolph *himſelfe had diſtributed a great part among the* Engliſh *fugitives. Hee promiſed that the King of* Spaine, *irritated by the injuries of the* Engliſh *men, would ſend to helpe them foure thouſand horſe, and ſix thouſand foot, which might be ſent over and landed at* Harwich, *a Port in* Eſſex *(whereabouts the Duke had many tenants and Gentlemen holding of him) moſt fitly and without ſuſpicion, in the beginning of Summer, when the Duke of* Medina Cæli *was to come with a good Navie into the Low-Countries.* Laſtly, he concluded, *that ſuch a moderation might be uſed, that all ſuſpicion of treaſon in the Duke might be taken away, and proviſion made for the*

ſafetie

safetie of the Queene of England, *if onely shee would embrace or tolerate the Romish Religion, and consent to the marriage of the Queene of* Scotland *with the Duke.*

The Duke gave eare to these things as likely, but yet refused to subscribe unto the letters of credit (as they call them) which *Ridolph*, being ready to depart, shewed unto him. Neither would he heare the advice of *Rosse*, which he had long studied, and put into his head by *Barker*; namely, *that the Duke with a selected companie of Noblemen, to take the Queene suddenly, and to disturbe the Parliament, and by this meanes the marriage with the Queene of* Scotland *might be finished, and the Romish Religion set in better state in* England, *without any great stirre, and without any forraine ayd: Which might easily be done, having so many Noblemen ready and prompt to enter into this action, as could not be assembled againe in one place without suspicion. And just cause there was, for that the Duke*

was

was kept long in priſon againſt the Lawes of the Realme, and not admitted into the Parliament; and alſo for that more rigorous Lawes were deviſed againſt the Papiſts. And to doe this he brought in the example of Caſtrutio *in* Italy, *and others, who by ſudden actions had proſperouſly effected great matters; and how five Noblemen in* Scotland, *very lately, had diſturbed the Parliament wherein* Murrey *was to be attainted, and gotten the Queene into their hands.*

This advice the Duke (who was out of his inbred good nature farre from any villany) deteſted and diſliked as pernicious and dangerous. But about the ſame time, *Henry Percy* offered his ſervice unto *Roſſe*, for to deliver the Queene of *Scotland* out of priſon; ſo that *Grange* and *Carre* of *Fernibeſt* would receive her at the borders of *Scotland*, and his brother the Earle of *Northumberland* might be delivered out of *Scotland*. But when his credit was ſuſpected, becauſe of his private

private familiaritie with *Burghley*, and also he delayed the matter very long, that plot came to nothing: (For the which, upon his submission he was notwithstanding fined in the Star-chamber at five thousand Markes, which nevertheless the Queene pardoned.) As also the plot of *Powell* of *Sandford*, one of the Pensioners, and of *Owen*, a Gentleman belonging to the Earle of *Arundell*, who intended to adventure upon the same action, but that *Rosse* did inhibit and hinder them, as not able to performe so great an attempt, since they were not men of that abilitie & meanes.

Yet did many *English* men hasten the marriage betweene the Queene of *Scotland* and the Duke of *Norfolke* as much as they could; for they had by their perswasions brought him to thinke of the marriage with her againe, contrarie to the promise hee had made, which was first found out by these meanes.

Ridolph

Ridolph the *Florentine* (whom wee have ſpoken of) being ſent over Sea into forraine Countries, to deale in the Queene of *Scotlands* buſineſſe, had acquainted *Charles Bailiffe* a *Flemming*, ſervant to the Queene of *Scotland*, with all his ſpeeches with the Duke of *Alva*, and had delivered unto him letters in Ciphers unto her, the *Spaniſh* Embaſſadour, *Norfolke*, *Roſſe*, and the Lord *Lumley*, all put in one Packet, which *Bailiffe* brought over with him, though *Roſſe* had bidden him to leave them with the Captaine of *Calice* to be ſent over. But as ſoone as he arrived in *Dover* Haven, hee was apprehended and put in priſon; but his Packet of Letters was ſent to the Lord *Cobham* Warden of the Cinque-ports; which things *Roſſe* knew with the firſt, and dealt ſo diligently and craftily with *Cobham* (who was not ignorant of the Dukes counſell) that that Packet was delivered unto him, and another with

with other old Letters wrapped up, was delivered unto the privie Councellors: And this was also signified unto *Bailiffe*. Yet he being upon the Racke, confessed some things, and amongst other, that a Packet of letters came to the hands of *Rosse*. This came to the knowledge of *Rosse* also, who forthwith very wisely sent away *Cuthbert* his Secretarie, and laid aside his Ciphers and privie Characters, with other things which might bring trouble, at his friends houses; so that when *Sussex*, *Burghley*, *Mildmay* and *Sadleir*, searched his house most narrowly, they found nothing, nor could wring nothing out of him with interrogations; who stood upon it still, that an Embassadour was not to be compelled to yeeld reasons and make answers to any but his own Prince. Yet on the next day *Rosse* was delivered to the Bishop of *Ely* to keepe, and shortly after hee was sent into the Ile of *Ely*. Also Sir

Thomas

Thomas Stanley, Sir *Thomas Gerard* Knights, and *Ralſton* (of whom I have ſpoken) were ſent to the Tower of *London*. And *Henry Howard* (who had ſued to the Archbiſhop of *Yorke*) upon ſuſpicion, was committed to the keeping of the Archbiſhop of *Canterburie*.

About the ſame time, the Queene of *Scotland* had ſent a certaine ſum of money unto the *French* Embaſſadour, for her friends in *Scotland*; he delivered it unto *Barker* & *Higford*, who acquainting the Duke with the matter, delivered it to one *Browne* a Citizen of *Shrewsburie*, a retainer of the Dukes, to be carried by *Banifter* and *Lander* into *Scotland*, unto the Lord *Herris*. *Browne* being ſuſpicious, when he perceived by the weight, that they had delivered the money in gold, and not in ſilver; he delivered it and the letters to the privie Councellors. Herein the wiſer ſort did obſerve, that this was the firſt time that the Duke did commit treaſon,

in

in that he had given ayd unto *Herris* and the *Scots*, proclaimed enemies, who had depopulated the *English* borders. Hereupon *Higford* was cast into prison, who forthwith did voluntarily confesse all the matter concerning the money; and withall he told them in what places he had hidden the Letters, Ciphers, and the Commentarie of the Queene of *Scotland* (I mentioned) under the Matt, and in the tiles.

The Queene of *Scotland* discourſed in this Commentary theſe things at large. *The* French *King allowed the conference appointed with the* Scots, *and that they propoſed the marriage of* Anjeou *with Queene* ELIZABETH, *for no other purpoſe, but that they might with the better colour denie their ayd promiſed to reſtore her: That they ſecretly ſought to hinder her marriage with* Don John d'Auſtria, *and that they favoured exceedingly the marriage with* Norfolke (*upon malice to the* Spaniard:) *That the*

the Duke of Alba did disallow the purpose of sending backe the Queene of Scotland into Scotland, so much that he thought thereby would be wrought not onely the utter destruction of the Queene, but also of the Romish Religion in all Britaine; because that the Queene returned into Scotland should be in danger of siege, or else of necessitie put to the adventure of a battell with the Rebels, who may easily get her into their hands, by the helpe of the Englishmen, before forraine ayd could come to helpe her. Therefore since shee cannot be in safetie in Scotland, and no hope of helpe was likely to be out of France, turmoiled with civill warres, the most convenient course seemed for her, to resort for succour unto the King of Spain, who had offered to marry her unto Don John d'Austria, which yet shee would refuse, upon condition that the Romish Religion might be restored in Britaine, by Norfolke. And also that her sonne might speedily be conveyed out of Scotland, and sent into Spaine; for so he might be kept in safetie, instructed in his

his tender yeares in the Romish Religion, and withall, all pretext taken from the Scots, *who use his authoritie and name to countenance their rebellion. For the working of these things, and the procuring of forraine ayd,* Ridolph *was with speed to be sent away, and admonished secretly to keepe these things from the* French *King by all meanes.*

When the privie Councellours had received this Commentarie, the Letters I spake of, and others sent from the Pope, and *Barker* being taken, had confessed all these things; Sir *Ralph Sadleir* was commanded to watch the Dukes house (at the *Charter-house* in *London*) with a band of Souldiers. The next day the Duke himselfe being examined (not knowing what his servants had confessed, and thinking that the Commentarie had beene burned and the Letters also) denied all things stoutly: a day or two after, namely, on the seventh day of September, he was conveyed to the Tower of *London* againe, by Sir

Sir *Ralph Sadleir*, Sir *Thomas Smith*, Sir *Henry Nevill*, and Doctor *Wilson*. And then *Banister*, who was the Dukes Lawyer, and the Earles of *Arundell* and *Southampton*, the Lords *Lumley*, and *Cobham*, and *Thomas* his brother, *Henry Percie*, *Lowder*, *Powell*, *Goodyeere*, and others were put in prison, who every one in hope of pardon, told all they knew.

As soone as the Commissioners shewed to him the confessions of these men, the letters of the Queen of *Scotland*, and of *Rosse*, with the Commentarie, he was astonied; but beholding the Commentarie, with the Letters which he thought had beene burned, he brake out into these words: *I am betrayed and undone by my servants, because I knowe not how to distrust, which is the sinew of wisdome.* But he besought the Commissioners very humbly to speake unto the Queene in his behalfe, promising that he would hide nothing that he knew; and so-

solemnly protesting that hee approved nothing which might have beene wrong unto the Queene, or detriment unto the Realme; yea, that hee utterly condemned the purposes and plots to surprize the Queene and the Tower of *London*, and to set free the Queene of *Scotland*; & that he never had a thought to bring in any forraine forces, but onely to suppresse the *Scots* that rebelled against the Queene. The same day, being examined of fifty Articles, more or lesse, he concealed nothing. Then all the course of the businesse was laid downe and declared in the Star-chamber, a great assembly of Noblemen, the Major and Aldermen of *London* being present, and afterwards to all the Citizens in the Guild-hall, by *William Fleetwood* the Recorder.

But when the Bishop of *Rosse* was accused by the confession of every one of them, and by the Duke himselfe also, as the contriver of the businesse, a serious consul-

ſultation was had, what was to be done with him, that was an Embaſſadour. For he whiles he thought it lawfull for him (as ſuch kinde of men uſe to doe) to aduance the affaires of his Prince by any manner of meanes, & not to be brought in queſtion of Law upon the inviolable privilege of Embaſſadours in a ſtrange Court, had done many things long ſince turbulently, in kindling a commotion, and having nightly conferences with the Earle of *Southampton* and others, and now againe with the *Engliſh* fugitives in the *Low-Countries*, the Duke of *Alba*, the King of *Spaine*, & the Pope, about the invaſion of *England*: Therefore the cauſe was put to *David Lewis*, *Valentine Dale*, *William Aubrey*, and *Henry Jones* Doctors of the Civill Law.

1 *Firſt, whether an Embaſſadour that raiſeth or procureth rebellion againſt a Prince unto whom he is Embaſſadour, may enjoy the privileges of an Embaſſadour, and not be ſubject*

to

to punishment as an enemie?

They answered; Such an Embassadour by the Law of Nations, and civill Law of the *Romans*, hath lost all the privileges of an Embassadour, and was subject to punishment.

2 *Secondly, whether an Agent of a Prince, who is deprived by publike authoritie, and in whose place another is crowned, may enjoy the privilege of an Embassadour?*

They answered; If such a Prince be lawfully deprived, his Agent cannot challenge the privilege of an Embassadour, since none but they which have the rights of an absolute Prince can appoint Embassadours.

3 *Thirdly, whether a Prince who shall come into the Kingdome of another Prince, and be kept in prison, may have his Agent; and whether he be to be accounted an Embassadour?*

They answered; If such a Prince who shall come into the Kingdome of another Prince, and be kept in prison,

priſon, hath not loſt his principalitie, he may have an Agent; but whether that Procurator may be reputed an Embaſſadour, that dependeth on the authoritie of his Commiſſion or Delegation.

4 *Fourthly, whether if any ſuch Prince doe denounce and tell to ſuch an Agent and Prince being in priſon, That this Procurator ſhall be accounted no longer for an Embaſſadour; whether this Procurator by the Law may challenge the priuileges of an Embaſſadour?*

They anſwered; The Prince may forbid the Embaſſadour, that he doe not come into the Realme, and command him to depart out of the Realme, if he doe not containe himſelfe within the bounds preſcribed unto an Embaſſadour; yet in the meane time he may uſe and enjoy the privileges of an Embaſſadour, according to the authoritie given him by his Commiſſion.

After

After these answers of the learned Lawyers, *Rosse* being brought back out of the Isle of *Ely*, was sharply rebuked, and told by the Councellors, that he was no more to be acknowledged for an Embassadour, but as a plotter of treasons to be severely punished. Hee answered, *That he is the Embassidour of an absolute Queene unjustly deprived; That hee had dealt diligently according to his place and dutie, for the libertie of his Prince, and the good of both the Kingdomes; That he came into* England *with a sufficient authoritie (which hee shewed) with the most ample authoritie of an Embassadour; and that the sacred rights and privileges of Embassadours are not to be violated by any meanes. Burghley* told him in discreet words, that neither the privileges of Embassage, nor letters of publike credit did protect Embassadours who offend against the publike Majestie of the Prince, but that they are subject to punishment; other-

wiſe it might be lawfull for wicked minded Embaſſadours to attempt any thing againſt the lives of Princes. He on the other ſide ſtood ſtill in it, that the rights and privileges of Embaſſadours were never violated *by the courſe of Law*, but (that I may uſe his owne words) *by the way of fact*: and bitingly willed them not to uſe him with more rigour, than was uſed to the *Engliſh* Embaſſadour *Throgmorton* in *France*, and to *Tamworth* and *Randolph* in *Scotland*, who had raiſed ſedition, and openly maintained it; and had not any other puniſhment, but onely were commanded to depart within a time appointed. When they urged him with the teſtimonies of *Engliſh* men, he with faire words requeſted them not to doe ſo, ſince it was a long received cuſtome, which was growne to a Law (as he ſaid) *That the teſtimonie of a* Scot *againſt an* Engliſh *man, and of an* Engliſh *man againſt a* Scot *was not to be received.* After much alter-

altercation, whether this was to be allowed, but onely betweene the Borderers of both the Kingdomes, and that also in matters of the borders; and then whether the *English* Embassadors had raised and fostered rebellions; *Rosse* was committed to the Tower of *London*, where he was kept very close, and answered in briefe to all the interrogatories, with that caution and warinesse, that his answers could hurt no body. He excused the Queene of *Scotland*, that she being a prisoner, and in her best time and age, could not but seeke all the meanes she could of libertie, since Queene ELIZABETH excluded her from all accesse unto her, put her out of all hope of her libertie, and openly maintained her adversaries. He excused the Duke, that he had dealt nothing in the marriage with the Queene of *Scotland*, but with the consent of most of the Queenes Councell; neither that he could leave her (though he

had promiſed ſo to doe under his hand) for that there had paſſed a mutuall repromiſſion of future marriage betweene them before that time. Laſtly, he excuſed himſelfe, that he being an Embaſſador, could not without a great offence depart from his dutie, and abandon his ſoveraigne Princeſſe in her affliction and adverſitie, and that he propounded the taking of Queene ELIZABETH for no other cauſe, but to trie the Dukes mind, whether he ſtood conſtant and reſolute. But the crimes of the other he wittily extenuated, and by no meanes he could be induced to tell the names of the Noblemen that promiſed to helpe the Duke to ſurprize the Queene; But he confeſſed that he by the commandement of the Queene of *Scotland*, did aske advice of the Duke, *Arundell*, *Lumley*, and *Throgmorton*, by their ſervants that came to and fro, and the Vicount *Mountague* by *Lumley*, about the deliverie of

the

the Castles in *Scotland*, the hostages, the deliverie of the King of *Scotland* unto the *English* men, and the restoring of the *English* Rebels. Thus much of these matters this yeere, out of the Dukes confessions, and the Commentarie of *Rosse* himselfe, written with his owne hand, sent to the Queene of *Scotland*.

Matthew Earle of *Lennox*, Regent of *Scotland*, Grandfather to to the King, had summoned an assembly of the Estates at *Sterling*, in the Kings name, where living securely, he was taken on the sudden by the Noblemen of the contrary faction, who held a Parlament at *Edenburgh* at the same time in the Queenes name. He had yeelded himselfe to *David Spense* of *Wormeston*, who labouring diligently to save his life, was slaine, together with the Regent (who had governed the Realme for the King his Grandchild but foureteene moneths) by *Bell* and *Caulder*.

der. In his place was ſubſtituted by the voices of the Kings faction, *John Areskin* Earle of *Marre*, who died after he had beene Regent but thirteene moneths.

Theſe dangerous times produced in the Parliament holden in *England* this Law: It was made treaſon, *if any attempted any harme or hurt, made warre, or moved any other to raiſe warre againſt the Queene: If any affirmed that ſhe poſſeſſed not the Crowne rightfully, but that others had more right to the Crowne, or did ſay that ſhee was an Heretike, Schiſmatike, or Infidell; did uſurpe the right of the Kingdome during her life, or ſhall ſay, that any other hath right to the Crowne, or that the Lawes and Statutes cannot define and binde the right of the Crowne, and the ſucceſſion of the ſame. If any in the Queenes life, by written or printed booke expreſly affirme, that any is or ought to be heire or ſucceſſor of the Queene, beſides* the naturall iſſue of her owne body; *or ſhall print or ſell any bookes or ſchedules to that effect; he and his*

factors

factors for the first time shall be imprisoned a whole yeare, and lose halfe his goods; and for the second offence, incurre Premunire, that is, to lose all his goods, and lie in prison for ever.

This seemed somewhat severe unto many who were of opinion, that the tranquillity of the Realme would be established by the designation of a certaine heire. But it is wonderfull what jests some lewd construers of words, made of that clause, *Besides the naturall issue of her body*; since the Lawyers call them *Naturall* that are borne out of matrimonie, but the legitimate they call out of the forme of words used in the Law of *England*, *Children of his body lawfully begotten*; insomuch, that being a young man, I heard it often said, that that word was thrust into the Act by *Leicester*, to the intent that he might at one time or other, thrust upon them, against their wills, some Bastard sonne of his, as the naturall issue of the Queene.

An Act was made alſo at this Parlament, that it ſhould be treaſon in them, who reconciled any to the Church of *Rome*, by any Bulls or Reſcripts of the Popes, or any that were reconciled: they that releeved the reconcilers, or brought in any *Agnus Dei*, *Grana*, *Crucifixes*, or other things conſecrated by the Pope, into *England*, ſhould incurre the penaltie of Premunire. And that it ſhould be miſpriſion of treaſon in them, that did not diſcover their reconcilers.

It was moved in the ſame Parlament, that if the Queene of *Scotland* did offend againe againſt the Lawes of *England*, that they might proceed againſt her, according to the Law, as againſt the wife of a Peere of the Kingdome of *England*: but the Queene would not ſuffer it to paſſe.

Anno

Anno 1572.

ON the sixteenth day of Januarie, *Thomas Howard* Duke of *Norfolke* was arraigned at *Westminster* Hall, before *George Talbot* Earle of *Shrewsburie*, appointed for that day Lord high *Steward* of *England*; and on both sides of him sate the Peeres, namely, *Reynold Grey* Earle of *Kent*, *Thomas Ratclif* Earle of *Sussex*, *Henry Hastings* Earle of *Huntingdon*, *Francis Russell* Earle of *Bedford*, *Henry Herbert* Earle of *Pembrooke*, *Edward Seymer* Earle of *Hertford*, *Ambrose Dudley* Earle of *Warwicke*, *Robert Dudley* Earle of *Leicester*, *Walter Devereux* Viscount *Hereford*, *Edward Clinton* Admirall, *William* Lord *Howard* of *Effingham* Chamberlaine, *William Cecill* Lord *Burghley* Secretarie, *Arthur* Lord *Grey* of *Wilton*, *James Blount* Lord *Mountjoy*, *William* Lord *Sands*, *Thomas* Lord *Wentworth*, *William*

Lord *Burrough*, *Lewis* Lord *Mordant*, *John Powlet* Lord *Saint-John* of *Baſing*, *Robert* Lord *Rich*, *Roger* Lord *North*, *Edmund Bruges* Lord *Chandois*, *Oliver* Lord *Saint-John* of *Bletneſhoo*, *Thomas Sackvill* L. *Buckhurſt*, and *William Weſt* Lord *De La-ware*.

Silence being made, the Letters Patents of the Cõmiſſion was read; then a white wand was delivered unto the Lord *Steward*, by *Garter* King at Armes, wch he ſhortly after delivered unto the Serjeãt at armes, who ſtood by and held it up all the while. Then the Earles and Barons were called by their names, and every one made anſwer to his name. Then ſilence was made again, & the Lieutenant of the Tower was commanded to returne his precept, and to bring the Duke to the Barre. Forthwith he was brought in, and Sir *Owen Hopton* ſtood on the one ſide of him, and Sir *Peter Carew* on the other ſide; and next by him ſtood a man holding an Axe, with the edge from the Duke: Silence being made againe, the Clerke of

the Crowne said thus to the Duke; *Thomas Duke of Norfolke late of Keningale, in the Countie of Norfolke, hold up thy hand:* (which when he had done, the Clerke read the Inditement with a loud voice, that is to say, That in the eleventh yeare of Queene ELIZABETH and after, the Duke did trayterously devise to put her from her Crowne, and to kill her, and to raise warre against her, and to bring in forraine forces to invade the Realme. That whereas he knew MARIE late Queene of *Scotland* to have claimed the Diadem of *England*, with the title and armes thereof, yet hee without the Queenes knowledge intended to marrie with her, and lent her a great summe of money, contrary to the promise hee had made under his owne hand. That whereas he knew the Earles of *Northumberland* and *Westmerland*, *Markenfield*, and others, had raised rebellion against the Queene, and were fled into *Scotland*, he relieved them

them with money. That in the thirteenth yeare of the Queene, he by Letters requested ayd of men from Pope *Pius Quintus*, the professed enemy of the Queene, the King of *Spaine*, and the Duke of *Alba*, to deliver the Queene of *Scotland*, and to restore Papistry into *England*. Lastly, that he gave ayd unto *Herris* a *Scot*, and other enemies of the Queene in *Scotland*. This being read, the Clerke asked the Duke, whether he were guiltie of these crimes or no?

He besought, that if it were lawfull by the Law, he might have a Lawyer appointed him to defend or plead his cause. *Catlin* Chiefe Justice answered, that it was not lawfull. The Duke said; *It is meet that I submit my selfe to the opinion of the Judges; but there be many darke and obscure points in this businesse; neither understood I of my arraignment till within this fourteene houres; I was kept from bookes; now I see, I am to fight for my life without weapons:*

Yet

Yet I have heard, that a Lawyer was assigned unto Humfrey Stafford *in a case of treason, in the reigne of* Henry *the seventh. Dier* chiefe Justice of the Common pleas answered, that a Lawyer was assigned unto *Stafford* about the privilege of the Sanctuarie, from whence he was taken away by force, and that he answered for himselfe without a Lawyer for the treason. The Duke said, *I must speake this day for my life, my goods, for my children, and that which is most to be respected, for my loyaltie and honestie (let honour goe by:) yet let me aske one question; Whether that the enumeration of the crimes must be holden for true in every part, and to which part I must answer? Catlin* said, When the causes be true, the enumeration is also to be accounted true. *I do desire to be told* (said the Duke) *whether every singular thing be treason; For I have heard in the cause of the Lord* Scroope, *in the reigne of* Henry *the fourth.* As hee would have said more, the Clerke of

of the Crowne interrupted him, ſpeaking aloud; *Thomas Duke of Norfolke, art thou guiltie, or not guiltie?* He ſaid, *Not guiltie.* The Clerke asked him againe; *How wilt thou be tryed? I commend* (ſaid he) *my cauſe to God and to my Peeres: The hainouſneſſe of my crimes woundeth my heart, but the benignitie of her Majeſtie from whom I could expect no more, doth recomfort me: and I beſeech you, my Lord Steward, that I may be dealt withall according to Law, and that my memorie, which is ſlipperie, may not be oppreſt with the confuſed varietie of things. That I have you my Peeres and Judges, I acknowledge my ſelfe happie; for unto many of your integrities I would willingly commit my life. I truſting unto mine innocencie did not flie: but yet I cannot but ingenuouſly confeſſe, that I have tranſgreſſed againſt the Queene, but in no treaſon. I beſeech you let not thoſe things of ſmaller moment be put amongſt the other of treaſon.*

Then ſaid *Barham* the Queenes Serjeant

Serjeant at Law; The crimes of treason whereof thou art indicted are these; Thou didst devise to deprive the Queene of her Realme and of her life: Thou didst intend to marry with the Queene of *Scotland:* Thou didst send for forraine power to invade the Realme: Thou gavest maintenance unto the Rebels, and didst helpe the *Scots*, enemies to the Queene. The Duke interrupted him, saying, *Barham, I pray you doe not aggravate the matter with words, in objecting the marriage and other things which be not treason.* *Barham* turning to the Noblemen, urged the matter, saying; He that would marry her that claimeth the Kingdome, the same man desireth and seeketh after the Kingdome; but this the Duke began when he was one of the Commissioners at *Yorke*, to heare the cause of the Queene of *Scotland*; at which time he was sworne to weigh indifferently and uprightly the accusations and defences on both sides.

The

The Duke ſaid; *That cauſe hath ſundry parts, which bee without the compaſſe of treaſon.* The Steward of *England* bade the Duke not to uſe ſuch digreſſions from the purpoſe, who when *Burham* ſtill urged it with a loud voice, hee acknowledged that the Queene of *Scotland* had claimed the Realme of *England* as due to her, but that ſhe had given over the claime long ſince.

Burham to the contrary ſhewed how ſhe had not left off the claime, becauſe ſhee had not yet made a releaſe or renunciation thereof; and hee accuſed the Duke hainouſly, that hee taught the Delegates of *Scotland* what to ſay; and this out of the confeſſion of the Biſhop of *Roſſe*. The Duke confeſſed that *Lidington* moved the marriage unto him, and that hee refuſed it, and that he told them nothing; and requeſted that the Biſhop of *Roſſe* might be produced before him.

Then

Then did *Barham* prosecute at large many things which I have mentioned before, to prove that the Duke did unmeasurably desire the Kingdome: and stood much upon this point; What other thing could the Duke propose unto himselfe in his minde, without the privitie of the Queene, to marrie the Queene of *Scotland*, a woman without goods, without Kingdome, (her sonne being now established in the Realme of *Scotland*) but that hee might get by her meanes or right the Kingdome of *England*, & consequently deprive the Queen of her life and Kingdome? The Duke said; *These things are farre fetcht to convince me to have imagined the deprivation and destruction of the Queene.* I will come neerer, said *Barham*: It is not unknowne that you devised with others, to surprize the Tower of *London* (which is the chiefest hold of *England*,) so that it is of necessitie that you then compassed the destruction of the

the Queene, ſince Kingdomes cannot endure to have a partner. The Duke denied not, that one *Hopton* put into his head, the ſurprizing of the Tower, yet that he rejected the ſame: Why then, ſaid *Barham*, didſt thou aske the Earle of *Pembrookes* advice, who diſſwaded thee?

Barham went on, and urged him, that when the Queene requeſted of the Infant King of *Scotland* certaine Caſtles, and the *Engliſh* Rebels out of *Scotland* to be delivered; the Duke ſecretly willed the *Scots* not to conſent thereunto. He accuſed him alſo, that he attempted privily to ſteale away the Queene of *Scotland* out of priſon: And this was after he had ſolemnly promiſed to meddle or deale with her no more.

Then *Candiſh* was brought in witneſſe againſt him; that the Duke had a reſolute purpoſe to marrie her, and that he asked him if hee could draw his Uncle to his ſide, if Queene ELIZABETH dyed.

The

The Duke utterly denied these things, and rejected his testimonie, as of a needy man, and a childish witnesse. Moreover, it was shewed, that the Duke sent secretly his man to the Earles of *Northumberland* and *Westmerland*, to advise them not to rise in rebellion, as a thing that would prove very dangerous. Also the Letters of the Queene of *Scotland* were shewed, wherein shee lamented that *Northumberland* was intercepted before he was ready to rise. (For this flying newes was brought to her, perchance of set purpose.)

To these things the Duke answered: *These reasons doe not probably prove, that he compassed the destruction of the Queene, and that nothing yet brought against him, was of any moment, but onely the testimony of the Bishop of* Rosse; *neither was this to be received, since he was a forrainer, citing the authoritie of* Bracton, *the most learned Lawyer of our Land; that he never made such reckoning of* Northum-

thumberland *and* Westmerland, *that he would put his life into their hands: he relied* (he said) *and trusted so much unto his innocencie, that he had never so much as a thought to flie.*

Gerard the Queenes Atturney said; It is most apparant that he did purposely intend to marrie the Queene of *Scotland* to worke the Queenes destruction: It is also apparant, that he did advisedly consult of invading the Realme, by the Letters unto the Pope, the King of *Spaine*, and the Duke of *Alba*. All his dealings with *Ridolph* are now well knowne, by the secret Ciphers and Characterical notes hidden under the tiles of *Howard* house; also by the Letters (which he commanded to be burned) found in the Matts in the entrie of the chamber; and all these things may be proved out of the examinations of them who were not terrified with torments, nor attainted of treason. To these matters the Duke said; *Of the consultations of the*

Pope

Pope and the King of Spaine, *I was neither author nor fautor; yea, I alwayes disliked them. Let them be punished that committed the fault, and let them not charge mee, to excuse themselves.*

Furthermore, *Gerard* accused the Duke, that he talked with *Ridolph* of the landing of ten thousand Souldiers out of *Flanders* at *Harwich*, a Haven in *Essex*; and this out of the examination of *Barker*: And also that Letters were written and sent by *Ridolph* unto the King of *Spaine*, and the Duke of *Alba*, unto which, although the Duke did not subscribe, yet that he sent by the counsell of *Rosse*, *Barker* his Secretarie unto the *Spanish* Embassadour, who should assure them that they were his very Letters. The Duke said; *My memorie faileth mee, neither can it call to minde such intriate variety of matters. You Lawyers have your briefe notes, I am put to answer* ex tempore. *This is also improbable, that I should deale with the Pope,*

Pope, unto whoſe Religion I was alwayes an adverſarie. I had rather be pulled in peeces by horſes, than revolt from the Religion I profeſſe. The ſituation of Harwich *doth eaſily confute all this accuſation. Who ſeeth not, how hard a matter it is to bring an Armie thorow that Countrie, which is all encloſed, and moſt troubleſome, with narrow wayes? If I had imagined to make warre againſt my Prince, I ſhould doubtleſſe have furniſhed my ſelfe with Armour; but in theſe whole ten yeares, I have not bought any more than eight Corſlets, and no Gun-powder at all; I would never have committed ſuch Letters unto* Barkers *fidelitie, but rather unto* Baniſter; *whom I eſteemed above many* Barkers.

Now were brought forth the Letters of the Biſhop of *Roſſe*, ſent out of priſon unto the Queene of *Scotland*, and intercepted; out of which the former things were confirmed. The Duke required to ſee the Letters; for he ſeemed to doubt that they were counterfeit. But the Lord

Lord Steward said, Doubt not, they be written with *Rosses* owne hand. Another short Letter written with Oker by the Duke, commanding his man to burne a bundle of Letters hidden in a certaine place, and to lay the fault upon *Rosse*, who might easily avoid the Law, by the privilege of an Embassadour, was also shewed: To these Letters the Duke said; *I being certified, that it was divulged amongst the common people, that I had accused many; I answered in that short Letter; and when I saw all places to be narrowly searched, I commanded that bundle to be burned, that I might keepe many men from trouble.*

Bromley the Queenes Sollicitor, shewed the Letters of *Ridolph*, wherein he signified, that the Duke of *Alba* approved their purpose; and also the Popes Letters unto the Duke, dated the tenth day of May. Then *Wilbraham* made an eloquent speech of the credit of the testimonies of the Bishop of *Rosse*, and

and of the Dukes ſervants. Unto which the Duke ſaid; *I have not the skill to refell ſo poliſhed and ornate a ſpeech; yet the Orator as skilfull as he is, for all that, left out what the force of feare is, which oftentimes quaileth and daunteth a good courage; and againe he commended and urged* Bracton *againſt the credit of forraine witneſſes. Catlin* chiefe Juſtice made anſwer: In ſuch cauſes as theſe, the teſtimonies of forrainers are allowable, and that it was in the will of the Peeres to give credit or diſallow ſuch teſtimonies.

Now they were come to prove that the Duke had relieved the Rebels after they were fled, which appeared out of the Letters of the Counteſſe of *Northumberland*, in which ſhe gave thanks to the Duke for the money ſecretly ſent unto her and her husband. As concerning the laſt objection, about the relieving the *Scots*, enemies to the Queene, was proved out of the Dukes Letters to *Baniſter*, out of the

the confession of *Banister*, and the money delivered unto *Browne* of *Shrewsburie*. Here the Duke asked the Judges, *Whether the subjects of another Prince confederate with the Queene, may be accounted enemies to the Queene?* *Catlin* answered, they might; and that the Queene of *England* may make warre with some Duke of *France*, and yet at the same time be in amitie with the King of *France*.

When now it drew toward night, the Lord Steward asked the Duke what he had more to say for himselfe? He answered; *I put my trust in the equitie of the Lawes.* The Lord Steward cõmanded the Lieutenant of the Tower to take the Duke aside; and then silence being made, hee turned unto the Peeres, and said: *You have heard how* Thomas *Duke of* Norfolke *hath beene indited of high treason, who hath pleaded not guiltie, and put himselfe unto God and to you; therefore it is your part, to consider among you, whether*

he be guiltie or no, and to declare your opinion according to your conſcience, and upon your honour : and withall, he bade them to goe aſide, and to conſult one with another. After a little time, they returned unto their places: Then the Steward beginning at the loweſt, ſaid: My Lord *De La-ware*, is *Thomas* Duke of *Norfolke* guiltie of the crimes of high treaſon, whereof he is indited, or not guiltie? He riſing up, laying his hand on his breaſt, ſaid, Guiltie. In like manner were each one asked in their order. Then was the Duke brought againe to the Barre, unto whom the Lord Steward ſpake in this manner: Thomas *Duke of* Norfolke, *thou haſt been indited of ſundry high treaſons, and put thy ſelfe to be tryed by God and thy Peeres, who have found thee guiltie; haſt thou any thing to ſay why judgement ſhould not be given againſt thee?* He anſwered, *The will of God (who will judge betweene me and my falſe accuſers) be done.*

All

All men now keeping silence, the edge of the Axe was turned towards him: Then *Barham* for the Queene requested the Lord Steward to give Judgement; which he (weeping) did, in these formall words: *For as much as thou* Thomas *Duke of* Norfolke *hast beene indited of high treason, and hast pleaded not guiltie, and hast put thy selfe upon thy Peeres, who have found thee guiltie; therefore this Bench doth adjudge that thou shalt be lead backe from hence unto the Tower (from whence thou camest) and from thence laid on a Hurdle, shalt be drawne unto the place of execution, and there to be hanged, cut downe alive, to be bowelled, thy head cut off, thy body to be divided into foure quarters, thy head and thy quarters to be disposed of at the Queenes pleasure: And so our Lord have mercie on thy soule.* The Duke hearing this Judgement, said with a good courage; *Judgement is given against mee, as against a Traitor; I trust in God, that excluded from your fellowship, I shall*

enjoy the celeſtiall fellowſhip; I will prepare my ſelfe to die; I requeſt this one thing, that the Queene would be good to my children and ſervants, and ſee my debts paid.

A few dayes after *Barney* and *Mather* were executed, who conſpired with *Herle* a *Ruffian*, to kill ſome of the privie Councellours, and to deliver the Duke: but *Herle* preſently diſcovered the matter, unto whom *Barney* ſaid ſmiling (when he ſaw him brought forth to give evidence againſt him) *Herle thou wenteſt but one houre before mee, otherwiſe I had ſtood there in thy place to give evidence, and thou hadſt ſtood here in my place to be hanged.* Theſe plots and the like, which were many, were taken hold of to haſten the Dukes death, which yet was ſtayed and deferred for foure moneths. But on the ſecond day of June, at eight of the clock in the morning, the Duke was lead unto a Scaffold new builded on the Tower-hill; and when he was gone up, and *Alexander*

lexander Nowel Deane of *Pauls* (who was there to comfort him) had required the people to be silent; he said, *It is no strange thing for men to suffer death in this place, although I am the first since the Queenes reigne, God grant I may be the last,* (the people said aloud, *Amen.*) Then (to set downe compendiously that which I heard him speake more at large) he said; *I acknowledge that my Peeres have justly found me guiltie, neither purpose I to excuse my selfe; I doe ingenuously confesse, that I have dealt with the Queen of* Scotland *in weightie and important businesse, without the knowledge of my Queene, which I ought not to have done, for the which I was imprisoned. But being let out when I had submitted my selfe, and given my word, that I would not have any more to doe with her; yet I confesse I have had, and that troubleth my conscience: But I neither promised nor sware it at the Lords Table (as the common report is;) I talked once with* Ridolph, *but nothing to the hurt of*

the Queen; for very many know, that I had reckonings and accounts about money with him upon bands. I found him to envie the tranquillitie of England, *and to bee very sharpe witted to devise mischiefe; I saw two letters from the Pope, unto which I assented not; neither did I to the rebellion in the North; I was never Papist: ever since I had any taste of Religion, I embraced the true Religion, and put all my trust in the bloud of Christ my Redeemer and Saviour: Yet I cannot deny, but I had some servants and familiar friends which were addicted unto the Pope; if I have sinned against God, the Church or Protestants therein, I humbly desire God and them to forgive me.* Then reciting a Psalme or two, hee said with a loud voice, *Into thy hands, O Lord, I commend my spirit.* Then he embraced *Henry Lee*, and whisperd a few words in his eares, and also to *Nowel* the Deane, who turning to the people, said; The Duke desireth you to pray unto God, that he may have mercy upon him, and withall

withall hold your peace for distracting his minde. Hee forgave the Executioner, and refused the Napkin, with which hee offered to cover his eyes, and said, *I feare not death*; hee kneeled a while in his praiers, and *Nowel* with him: Then laying his head on the blocke, it was taken away at one blow, and was shewed to the people by the Executioner.

Scarce ten daies after his execution, *William* Lord *De La-Ware*, *Ralph Sadleir*, *Thomas Wilson*, Doctor of the Lawes, and *Thomas Bromley* the Queenes Soliciter, were sent to the Queene of *Scotland* full of sorrow and griefe, to expostulate criminally with her, that shee had usurped the title and armes of the Realme of *England*, and had not released nor renounced them, as was agreed in the treatie of *Edenburgh*: That she had sought to marrie with the Duke of *Norfolke*, without the Queenes privitie; and to get and obtaine the same marriage

with the better ſucceſſe by force, and to deliver the Duke out of priſon, ſhe had tried all meanes by her Agents and Miniſters: That ſhee had raiſed the rebellion in the North, had releeved the Rebels (after they were put to flight) in *Scotland* and the Low-Countries: That ſhee had made ſuit by *Ridolph* the *Italian* for forraine helpe, from the Pope, from the King of *Spaine* and others, to invade *England*: That ſhee had conſpired with certaine *Engliſh* men, to take her by force out of priſon, and to proclaime her Queene of *England*: That ſhee had received letters from the Pope, wherein he promiſed to cheriſh her, as the Henne doth her Chickens, and to account them that ſtood for her, the true children of the Church: Laſtly, that ſhe had procured the Popes Bull againſt the Queene, and had ſuffered her ſelfe to bee publikely called and named *Queene of England*, by her Servants and Miniſters in forraine Countries.)

To

To these things shee (first protesting that shee was a free Queene and subject to none) answered with a stout courage and countenance.

1. *That shee had not usurped the title and armes of* England, *but that the King of* France *and her husband imposed them upon her, being very young, and under the direction of her husband, and therefore not to bee laid upon her for a fault; neither that shee did weare or use them after her husbands death; neither that she will claime them as long as Queene* ELIZA-

BETH *and her children lived.*

2 *That she never imagined any detriment or hurt to the Queene by her marriage with the Duke of* Norfolke, *being perswaded it would be for the good of the Common-wealth; and that shee did not renounce it, because shee had given her faith and troth unto him.*

3 *That shee willed the Duke by some meanes to get away out of danger and prison, which she did out of the dutie shee ought to him as her husband.*

4 *That*

4 *That she had not raised rebellion, nor was privy to the same, who was alwaies most ready to reveale any attempts against the Queene if she would vouchsafe to heare her speake.*

5 *That she never releeved the* English *Rebells, onely that in her letters shee commended the Countesse of* Northumberland *unto the Duke of* Alba.

6 *That shee used* Ridolph *(whom she knew to be highly in the Popes favor) in many matters, yet received no letters from him.*

7 *That*

7 *That ſhee never moved any to attempt her deliverance; yet that ſhe willingly gave eare unto them that offered their labour therein; and for that purpoſe, that ſhe communicated unto* Rolſton *and* Hall *a private Character.*

8 *That ſhee had received ſometimes letters from the Pope, very pious and conſolatorie, in which were no ſuch phraſes of ſpeech.*

9 *That ſhe procured not the Bull: That ſhee onely ſaw the coppie thereof printed, and when ſhee had read it*

it over, that shee burned it.

10 *That if any in forraine Regions write or name her otherwise than they ought to doe, let them answer for it.*

11 *That shee never by letters required aid of the Pope, and the King of* Spaine, *to invade* England, *but onely to bee restored into her Kingdome by their meanes, and that with the Queenes privitie.*

12 *But if any question or doubt bee made of those letters of effecting the marriage by force of armes, shee requested*

requeſted (ſince ſhee was borne of the royall bloud of England*) that ſhee might anſwer perſonally in the next Parlament that was to be holden.*

And at this time the *French* King favouring the Queene of *Scotland* and her partie (and the Queene of *England* the King and his partie) earneſtly moved Queen ELIZABETH to deliver the Queene of *Scotland*, which the Queene of *England* denied to doe, ſaying, In very truth I keepe the Queene of *Scotland* in cuſtodie (after a faire manner) as a pledge of mine owne ſecuritie, and of the ſafetie of *England*. But when it was come to light that the Queene of *Scotland* intended a ſecret confederacie with the King of *Spaine*, by the Lord *Seton*, who landing in *Eſſex*, diſguiſed like a Mariner, had promiſed

promiſed aid of men to the *Scots*, of the Queenes partie from *Alba*; both ſhee was kept ſtraiter in priſon, and the kindneſſe of the *French* men toward her waxed key-cold.

Shortly after, the league betweene *England* and *France* being concluded at *Blois*, and the Duke of *Momorancie* being ſent into *England* to confirme the ſame; hee in few words in his Maſters name, requeſted that as much favour might bee ſhewed unto the Queene of *Scotland* as might bee without danger: That there might be a ceſſation of armes in *Scotland*, and that concord might bee eſtabliſhed there by Parlament. Hee was anſwered, That more favour was ſhewed to the Queene of *Scotland* than ſhe deſerved, and ſhould bee ſhewed for the *French* Kings ſake; although the Eſtates of the Kingdome (who where now aſſembled) thought the Queene could be in no ſecurity without ſome ſeveritie ſhewed unto her. As for the ceſſation of armes,

armes, the Queene had dealt diligently therein; and for that purpoſe had ſent very lately *Drurie* the Marſhall of *Berwicke*, with *Croc* the *French* Embaſſadour; and that they by no perſwaſions could bring *Grange* and the Garriſons in the Caſtle of *Edenburgh* to peace, being induced by hope of aid from *France* and the Low-Countries, though *Huntley*, and *Hamilton Arbroth* for the Duke his father, had bound themſelves under their hands to obſerve peace; and the others of the Queenes ſide had given their word alſo.

Anno 1573.

IN *Scotland*, *James Dowglas* Earle of *Morton*, by the meanes of Queene ELIZABETH, was made Regent in the place of the Earle of *Marre*, who having his authoritie eſtabliſhed in the Parlament,

ment, did enact in the Kings name certaine Lawes, against the Papists, and against Heretickes; but the custodie of the King hee confirmed to *Alexander Areskin*, for that the Earle of *Marre* (unto whom the custodie of the King of *Scotland* in his minority doth belong by a peculiar right) was under age, upon these conditions, that is to wit, That the Papists and they of the other faction should be utterly excluded; an Earle might come in with two men, a Baron with one man, other men alone, and every one of these unarmed.

And whereas Queene ELIZABETH by *Henry Killigrew*, had drawne *James Hamilton* Duke of *Chasteauleroy*, *George Gordon* Earle of *Huntley*, who stood for the Queene, to these conditions, namely, To acknowledge the Religion established in *Scotland*: To submit themselves to the King, and also to *Mourton* as his Regent, and to his successours in the government:

To

To renounce the authoritie of all others: To account them Traitors by authoritie of Parlament, that attempted any thing againſt the Religion, the King or Regent: That the ſentence againſt the *Hamiltons* and the *Gordons* ſhould bee repealed,&c. But theſe conditions *William Kircaldy* Lord of *Grange*, the Lord *Hume*, *Lidington*, and the Biſhop of *Dunkelden*, and others, who thought the Queene of *Scotland* to be injuriouſly uſed, would upon no termes admit; but fortified the Caſtle of *Edenburgh*, of which *Grange* was Captaine (placed therein by *Murrey*) looking for aid from *France* and the Duke of *Alba*; but Sir *William Drury* being ſent into *Scotland* with forces out of *England* to joyne with the *Scots*, the ſame Caſtle was yeelded in the three and thirtieth day of the ſiege, and ſo the Caſtle and all the priſoners were delivered unto the Regent, who hanged *Kircaldy* without mercie, ſpared *Hume* and others at the

the request of Queene ELIZABETH; *Lidington* was sent to *Lieth*, where he died, not without suspition of poison.

And to the end that *England* might also bee more secure from clandestine attempts at home (on the behalfe of the Queene of *Scotland*) *Iohn Lesly* Bishop of *Rosse*, who very faithfully had served his Queene (yet with the destruction of many men, and danger of more) was delivered out of prison, and commanded to depart out of *England*, and went into *France*, fearing *Southampton*, whom by his appeaching hee had brought in danger, and also *Henry Howard* the Duke of *Norfolkes* brother; to mollifie whose anger, he wrote an Apologie. Hee was scarce departed, but his secret Letter-carrier *Henry Cokin* was taken, and by him was *Morgan* detected, who prompt to doe some exploit for the Queene of *Scotland*, and desirous to have done somewhat, forthwith fled away. *At-*

stoe

ſloe the Phyſitian for the Papiſts, and *Goad*, Doctors of Phyſicke, and *Francis Berty*, becauſe they had ſecret commerce of letters with her, were put certaine moneths in priſon. And for the ſame cauſe *Henry Goodyer*, and *Richard Louder* were called into queſtion.

In the meane while *Roſſe* did not pretermit any part or duty of a moſt faithfull ſubject to the Queene of *Scotland*, towards the Emperour, the Pope, the *French* King, and the Catholike Princes of *Germany*, who every one gave good words and hopes, but yet performed nothing. And alſo the Duke of *Alba*, in whom he put his greateſt truſt, did at this time depart out of the Low-Countries, to his great griefe.

Anno 1574.

HEnry the third of that name, King of *France*, and his mother

ther did all that they could by secret devices to get the young King of *Scotland* into *France*, and to get *Mourton* out of his office of Regent, sending secretly *Scots* out of the *French* Guard for this purpose into *Scotland*; which thing the Queene of *Scotland* desired much, being perswaded, that if her sonne were in *France* out of danger, that shee and the Papists in *England* should be dealt withall more mildly: For hereupon shee thought it would come to passe, that the faction in *Scotland*, hitherto countenanced by the authoritie of the Kings name, would decay and come to nothing; and that the *English* men would feare him more and more, as he grew up in yeeres, as well from *France* as out of *Scotland*. And as much did the *French* men wish the same; secretly fearing left the Regent of *Scotland* depending wholly on the *English*, should dissolve the ancient league betweene the *Scots* and the *French*. Yet when the Regent

gent earneſtly requeſted that a league of mutuall defence between *England* and *Scotland* might bee made, hee was not heard; perhaps for that hee requeſted withall, that an annuall penſion might bee aſſigned unto him, and unto certaine other *Scots*. But they were heard, who with a ſmal ſuſpicion touched the Queene of *Scotland*, the Counteſſe & Earle alſo of *Shrewsburie*, as though they had wrought a marriage betweene *Charles* Uncle unto the King of *Scotland* (unto whom the King hadlately in the Parlament confirmed the Earledome of *Lennox*) and *Elizabeth Candiſh* daughter to the Counteſſe of *Shrewsbury* by her former husband, without the Queenes knowledge: For which cauſe the mothers of both them and others were kept in priſon, and all the fault was laid upon the Queene of *Scotland*. And when ſundry ſuſpicions grew of the intent and purpoſe of this marriage, *Henry* Earle of *Huntingdon* was made Lord Preſident

sident of the Councell in the North, with new and secret instructions concerning this matter.

Anno 1575.

THis yeare died in *Scotland* the most Noble Lord *Iames Hamilton* Duke of *Chasteauleroy*, and Earle of *Arran*, who was the Grand-childes sonne of *Iames* the second King of *Scotland*, by his daughter, the Tutor of Queene MARIE of *Scotland*, and Governour of the Kingdome, and heir designed, while she was in her minoritie. At such time as he had delivered her unto the *French* men, he was made Duke of *Chasteauleroy* in *France*; then chiefe of the three Governours of *Scotland* appointed by MARIE in her captivitie. Whose cause while he defended most constantly, he being a plaine and well-meaning man, was vexed with all manner of politick & crafty devices by

by turbulent and unquiet minded people.

Anno 1577.

Don Iohn d' Auſtria had made a perpetuall edict at *Gaunt*, to give ſatisfaction to the Eſtates of the *Netherlands* for their aggrievances; which the Prince of *Orange* utterly condemning, opportunely heard, that *Don Iohn* intended to marrie the Queene of *Scotland*; on which he willingly laid hold, and forrhwith certified Queene ELIZABETH thereof by *Famier*, thereby to withdraw her minde from peace: yet ſhee, as one ignorant thereof, by *Daniel Rogers* ſhewed her gladneſſe of the perpetuall edict of peace, though now ſhe had certaine knowledge, that *Don Iohn* by the perſwaſion of the Earle of *Weſtmerland* and the *Engliſh* fugitives, and forward favour of the Pope

Pope and the *Guises*, had in hope swallowed that marriage, and withall the Kingdomes of *England* and *Scotland*; and had already appointed tô surprize the Ile of *Man* in the *Irish* Sea, as a fit place to invade *England* out of *Ireland*, and the West borders of *Scotland*, wherein the Queene of *Scotland* had many assured friends; as also in the opposite side of *England*, *North-wales*, *Cumberland*, *Lancashire* and *Cheshire*, where most of the inhabitants were earnest Papists.

But indeed *Don John* (as we have learned of *Perez* Secretarie to the King of *Spaine*) before now ambitiously minded, when hee had lost the hope of the Kingdome of *Tunise*, had dealt covertly with the Pope about the expulsion of Queene ELIZABETH, the marrying of the Queene of *Scotland*, and the conquest of *England*, & unknowne to *Phillip*, had prevailed so far, that the Pope as out of the care of the common good, moved *Phi-*

lip to make war againſt *England*; and *Don Iohn* himſelfe being to depart into the Low-Countries, had proſecuted it earneſtly in *Spaine*; and afterwards by *Eſcovedo*, ſent out of the *Netherlands*, hee had deſired to have ſome Havens in *Biſcay* granted unto him, from whence hee might invade *England* with a Navie: But *Philip* diſliked their intentions, and began to neglect him, as one over-ambitious.

Yet Queene *Elizabeth* underſtood not theſe things fully untill *Orange* informed her.

In the meane time *Don Iohn* covertly proſecuted the marriage, and at the ſame time, to cloak the matter, ſent unto Queene *Elizabeth* the Viſcount of *Gaunt*, to ſhew her the conditions of the peace, and to requeſt longer daies of payment for the money lent unto the Eſtates: which ſhee willingly granted, and dealt with him againe by *Wilſon*, to recompence the Merchants of *England*, for the hurt ſuſtained

ſtained in the ſacking of *Antwerpe*. Hee eludeth the matter,& whiles he ſeemed to attend about the *Perpetuall edict for peace*, he brake out ſuddenly into open war, and by policy gat into his hands many Cities and Caſtles ; and wrote unto the King of *Spaine*, that hee thought it beſt to ſubdue and conquer the Ilands of *Zeland* before the Inland Provinces : and beleeving that which hee hoped, endevoured to perſwade him by his Secretarie, that *England* was eaſier to be conquered than *Zeland*.

Anno 1578.

ABout this time *Margaret Douglas* Counteſſe of *Lennox*, Neece to *Henry* the eighth by his eldeſt ſiſter, widow of *Matthew* Earle of *Lennox*, Grandmother unto *Iames* King of *Great Britaine*, overliving her eight children, departed to the joyes of heaven, in the

threeſcore and third yeere of her age, and was buried at *Weſtminſter* with a ſolemne funerall, at the Queenes charge: a Matron of worthy pietie, patience and chaſtitie, who was thrice caſt into priſon (as I have heard her ſpeake it) not for matter of treaſon, but for love matters: Firſt, when *Thomas Howard* ſon to *Thomas Howard* firſt Duke of *Norfolke* (being in love with her) died in the Tower; then for the love of *Henry Darly* her ſon, to the Queene *Mary* of *Scotland*; laſtly, for the love of *Charles* her younger ſon, to *Elizabeth Candiſh* mother to *Arbella*, of which marriage the Queene of *Scotland* was accuſed to be a procurer, as I have ſaid before.

About the ſame time the credit and authoritie of *Mourton* began to decay; inſomuch, that hee was removed from his office of Regent, and the adminiſtration of all things delivered unto the King, by the common conſent of the Eſtates, and (becauſe hee was not paſt twelve years

years old) unto twelve of the chiefe Noblemen which were named, of whom three, every three moneths by turnes, should bee present with the King, to give him advice, and *Mourton* was one of them, that they might seeme to bring him lower, not to cast him downe.

Shortly after, *Mourton* trusting on his sharpe wit, long experience, and many dependants and retainers, thinking nothing well done, except hee himselfe did it, and also not brooking not to bee the same man hee had beene, drew backe all the administration unto himselfe, not regarding his associates, and not observing the consent of administration set downe, hee kept in his hand the King within the Castle of *Sterling*, and shut out and excluded whom he pleased, and admitted others at his owne choyce. Wherewith the Noblemen being moved, made the Earle of *Atholl* their Captaine, and made Proclamation in the Kings name, that all

men above ſixteene, and under threeſcore yeeres, ſhould meet in Armour, with victualls for fifteene daies. There met very many, and with Banners diſplayed they marched unto *Fawkirke*, where *Mourton* with his friends met them in Armour ready to fight: But *Robert Bowes* the *Engliſh* Embaſſadour, by intreatie, and moving honeſt conditions, kept them from fighting; and *Mourton* forthwith, as wearie of buſineſſe, went home ſecretly, and the Earle of *Atholl* died incontinently, not without ſuſpition of poiſon; which the mindes incenſed againſt *Mourton*, tooke to his ſlander, and for this and other things, they never ceaſed to perſecute him, untill they had brought him to his deſtruction, as wee will declare hereafter.

Anno

Anno 1579.

THe *Scots* were in feare of having their Religion altered by a *French* man called *Amatus* or *Esmaus Stewart*, who came at this time into *Scotland*, to see the King his Cousin; (for hee was the son of *John Stewart*, brother unto *Matthew* Earle of *Lennox*, who was the Kings Grand-father, and called *Aubigney* of a Towne in *Berry*, which long since *Charles* the seventh, King of *France*, had given to *John Stewart* of the familie of *Lennox*, who being Constable of the *Scottish* Armie in *France*, put the *English* men to flight at *Bugy*, and was afterwards slaine by them in the Battell of *Herrings*; and ever since that time it hath belonged unto the younger sonne of that house.) This man the King used with singular kindnesse, gave him good livings, made him of his

privie Councell, and Lord Chamberlaine of *Scotland*, and Captaine of the Caſtle of *Dunbritton*, and then Earle of *Lennox*, and after Duke. This extraordinarie favour of the King towards him, cauſed many to envie him; who murmured that he was a favourer of the *Guiſes*, and of the *Roman* Religion, and ſent purpoſely into *Scotland*, by ſecret meanes to overthrow the true Religion. The ſuſpition was much increaſed, in that hee was familiar with the adverſaries of *Mourton*, and intreated to have *Thomas Carre* of *Fernihurſt* recalled home, who was the moſt aſſured friend to the Queene of *Scotland* of all others; *Mourton* reſiſting the ſame with all his power, but in vaine, for his authoritie was leſſe and leſſe with all men; although it might ſeeme that he deſerved well, in profligating the *Hamiltons*, and taking the Caſtle of *Hamilton* and *Daffraine*.

Anno

Anno 1580.

IN *Scotland* when many Miniſters of the Word, and Noblemen perceived that *Lennox* was in the Kings high favour; firſt, they raiſed one *Iames Stewart* of the family of *Ochiltree*, Captaine of the Guard, and Earle of *Arran* (for hee had uſurped that title from I know not what ceſſion of *Iames Hamilton* Earle of *Arran*, whoſe Tutor hee had beene when he was not well in his wit) to affront him: but the King in a ſhort time reconciled them. When this way ſerved not their turne, they procured him as much hatred as they could at home, and accuſed him hainouſly unto the Queene of *England*, as one ſent in covertly by the *Guiſes*, to ſhake the ſtate of Religion, to procure the libertie of the impriſoned Queene, and to diſſolve the amity

betweene *England* and *Scotland*. Theſe men were ſoone beleeved, and upon this matter was kept a ſerious conſultation in *England*; though hee in his letters cleered himſelfe to the Queene, and openly profeſſed the Proteſtants Religion.

For the Councellors of *England* feared, leſt hee ſhould ſuppreſſe the *Scots* who were friends to *England*, nouriſh excurſions in the borders, and entice the King to marry in *France*, or in ſome other place, unknown to the *Engliſh* men; whereupon the young King truſting, might trouble *England*, and being grown to mature yeers, aſſume to himſelfe the title of the Realme of *England*, as his mother had done before; which if he ſhould do, there would be more danger in him, than was in his mother; ſince hee was borne to the certaine hope of both the Kingdomes, hee might get many moe fautors; and now the *Scots* being bred up in their wars at home,

and

and in the Low-Countries, were more exercised and skilfull in marshall affaires. Hereupon they thought good to wring *Lennox* out of the Kings favour, by one meanes or other, or else to drive him out of *Scotland*, and that without delay; since it was bruted abroad, that hee had sent for one *Balfure* out of *France* (who had gotten I know not what hand-writing of *Mourtons*, wherein it was hoped, that *Mourton* might be convinced of the murder of the Kings father) and also that hee had obtained the Captainship of the Castle of *Dunbritton*, for no other purpose, but either to let in forraine forces into *Britaine*, or else to carrie over from thence the King of *Scotland* into *France*. It was reported also, that hee perswaded the King to resigne his *Crowne* up to his mother, as if shee had beene deprived unjustly, and by a most impious example or president by her subjects accepting assurance, to take it from her by a lawfull

lawfull reſignation ; whereby hee ſhould moſt ſtrongly confirme his Kingdome to him, and extinguiſhing the factions thereby, bee acknowledged of all men for a lawful King.

Hereupon *Robert Bowes*, Teaſurer for the Garriſon at *Barwicke*, was ſent into *Scotland*, who ſhould challenge and charge *Lennox* with thoſe things before the King and his Councellors, and admoniſh them to beware of their imminent evils. As ſoone as he was admitted to ſpeake, he required to have *Lennox* removed from the Councell, which the Councellors utterly denied, as a thing ſtrange and never heard of, that a Kings Councellor ſhould be put out of his place, and his cauſe not heard or not knowne. They doubted alſo whether the Queen did expreſly command him ſo to do, and required him to ſhew his inſtructions to maintaine his credit. Hee denied to ſhew them, but onely to the King, and unto one

one or two more; whereupon hee was unheard, forthwith called home, and tooke leave of the King, who thought of no such matter, complaining that the wholesome admonishments of his Ladie the Queen (who deserved well at their hands) were rejected.

Immediately upon this was sent from *Scotland Alexander Hume* to excuse these things, and to learne what these imminent evils were; but hee was not admitted unto the Queene, but was sent to *Burleigh*, who with a briefe and discreet speech shewed him, *That the Queene thought not good to admit him to her speech, not that shee did neglect him, whom shee had tried to be found in Religion, and a man carefull for the good of his Prince, Countrie, and the tranquillitie of both the Realmes, but out of a just grief, that her Majesty and the credit of her Embassadour was so contemptuously used, who had kept himself within the compasse and bounds of his Embassade, & had been commanded to shew his*

commission

commiſſion (which was a thing never heard of.) He caſt all the fault upon the new Councellors, and excuſed the King, who wanted experience through his young yeeres, and wiſhed that he would give eare unto the wholeſome and profitable advices of the Queene, who bare a true motherly minde unto him, and not to make leſſe account of her, than he did of his French *Couſin, and a ſubject to the* French *King, matched with a* French *woman, and a Papiſt in Religion; and who perhaps doth ſeeke (the* Hamiltons *being at this time baniſhed) to bee deſigned ſecond perſon to the King:* And ſaid, *let the King remember, that there is no affection more vehement than ambition; and let the* Scots *remember what broiles the* French *men had made in* Scotland, *if the Queene by her prudence and power had not prevented them.*

So *Hume* was ſent backe into Scotland, and all theſe things were done of purpoſe to put the King in feare, and to make him beleeve, that *Lennox* had undertaken dangerous plots

plots and devices against the King and the Realme. Yet for all this, shortly after, *Mourton* who was wholly for *England*, was accused of treason by the Earle of *Arran*, and cast into prison.

Anno 1581.

HEreupon in the beginning of January, Sir *Thomas Randolph* generall post-master, was sent into *Scotland*, with instructions to conserve the Religion and amity with the English men, and to labour all he could, that no violence should be offered unto *Mourton*, to remove *Lennox* away out of *Scotland*, and to comfort the Noblemen of the English faction. He made diligent and earnest intreatie for *Mourton*, alleaging his merits towards the King, the honour of Queene ELIZABETH, if shee so well deserving should have a repulse, and the envy of

of his accusers. The King answered; That hee could not out of his Princely dutie, but bring to triall a man appeached of treason; and that he acknowledged by experience the Queenes good will, and that hee would not commit any thing that might justly displease her by any meanes.

After *Randolph* was admitted to speake in the assembly of the Estates, recounting the benefits of Queene ELIZABETH towards *Scotland*, and the King himselfe, to wit; *How shee had delivered the Realme from the* French *men, with the blood of* English *men, defended their Religion and King, and yet never thought to convay him away (as it was falsly reported) or to obtaine an acre of* Scottish *ground; when yet she had opportunitie and meanes to conquer* Scotland, *the King being in his Cradle, his mother prisoner in* England, *and the Noblemen at dissention. But on the other side, she hath bestowed all her care to preserve in safetie the King and his Realme*

Realme, who was tied unto her with the most strait bonds of bloud, vicinitie and Religion: whose love shee found most sincere towards her, as shee had done all the Regents successively before that Aubigney *Earle of* Lennox *came into* Scotland. *Since that time hee hath ruled the King as a Ward, hath averted his minde from the friendship of the* English *men unto the* French *men, who have not hitherto so much as acknowledged him for King, hath put out of their offices the most faithfull subjects of the King, and hath put in others not so faithfull, and hath by his letters (which he shewed) dealt with forraine Princes about the invading of* England. *Hee hath moved the King to hate and abhorre the Ministers of Gods Word, as if they were railers and turbulent people, and hath had no care of the administration of justice betweene the borderers: All which things Queene* ELIZABETH *could not but take in very evill part, when she saw a Prince of such vertue, and her neerest Cousin, alienated and drawne forcibly away by these bad*

bad devices. Yet nothing was then effected, either to helpe *Mourton*, or againſt *Lennox*, who moſt men thought was falſly charged with the crimes; and alſo that the letters which were ſhewed, were counterfeit.

Therefore *Randolph* attempted another politicke way: Hee unto the adverſaries of *Lennox*, and unto the friends of *Mourton*, deploreth the unfortunate eſtate of *Scotland*, and laieth before them the dangers hanging over the heads of the King, the Common-wealth, and themſelves; he complaineth that the interceſſion of the Queene of *England* is not regarded of the unthankfull people, and covertly adviſeth them to trie whether they can effect that by armes, which they cannot obtaine by other meanes, and promiſed them helpe of men and money out of *England*. And ſo he drew to his ſide the Earles of *Argile*, *Moutros*, *Angus*, (*Mourtons* brothers ſonne) *Marre*, *Glencarne*,

carne, *Ruthen*, *Lyndsey*, and others. But they by and by after, their ends and purposes being severall, when they saw the King wholly to bend his favour towards *Lennox*, and not to bee terrified with the English forces which were on the borders, against which hee had opposed his, the most of them disagreeing & reverencing royall Majesty even in a young man, durst attempt nothing against *Lennox*, and thought it enough if they took compassion on *Mourton*. Yet *Angus* and *Marre* secretly devised plots for *Mourton*, and against *Lennox*; of which when the King had knowledge by *Wittingham*, *Angus* was commanded to depart, and live beyond the River of *Spea*; and *Marre* was commanded to deliver the Castle of *Sterling* unto the King. *Randolph* doubting some danger to himselfe, slipped secretly away to *Barwicke*, and willed *Angus* & *Marre* (things going against them) to looke to themselves, either by recovering the

the Kings favour, or elſe by reſorting unto the protection of the Queene of *England*. But the Engliſh forces were now called backe from the borders; and not long after, *Mourton* (as privy unto the murder of the Kings father) was beheaded, being firſt found guiltie of the ſame. For he had confeſſed, as they ſay, That *Bothwell* and *Archibald Dowglas* did communicate unto him their intent and purpoſe to kill the King, and that hee durſt not reveale the ſame in ſuch a doubtfull world as that was: neither could hee deny (after the murder was committed) but that *Archibald Dowglas* one of the Murderers was one of his moſt inward friends; and that he gave his faith and word under his hand, to defend *Bothwell*, if any man accuſed him for murdering of the King. *Angus* and the other, who ſtood in defence of *Mourton*, fled into *England*.

Anno

Anno 1582.

QUeene ELIZABETH, that ſhee might be more ſecure at home, purpoſed to make a compoſition with the Queene of *Scotland* by *Walter Mildmay*; but finding out that the *Guiſe* was deviſing ſome ſecret practices with ſome Engliſh fugitives, and to gather forces together, under pretence to ſend them into the Low-Countries, to ſerve under the Duke of *Anjeou*, but indeed to be tranſported into *England*, from *Ewe* an obſcure part in *Normandy*, belonging unto him, the matter was put off untill another time, and ſhee was not regarded.

But about the ſame time *William Ruthen* (whom the King had lately created Earle of *Gowry*) not degenerating from his father, who bare a deadly hatred againſt the Kings mother,

mother, and other conſpirators deviſed to remove *Lennox* and the Earle of *Arran* from the King, under the pretence to aſſure Religion, the Kings ſafetie, and amitie of *England*, whereunto they were incenſed and whetted on by their Miniſters. So when *Lennox* was departed from *Perth*, where the King lay, unto *Edenburgh*, about ſome affaires of the Realme, and *Arran* alſo was abſent; *Gowry*, *Marre*, *Lyndſey*, and others, taking the opportunitie, invited the King unto the Caſtle of *Ruthen*, where they detained him againſt his will, and would not permit him to ride or walke into the fields, threatning him with death. They put from him all his faithfull ſervants, caſt the Earle of *Arran* into priſon, and compelled the King to call home the Earle of *Angus*, who was baniſhed; the Queene of *England* (who was of their counſell) making interceſſion for him; and to ſend back *Lennox* into *France*, who being

being a man of a milde nature, gave over the Castle of *Dunbritton*, which he might easily have defended, (by the perswasion of the King set on by them) and refused not to returne into *France*. But they not content herewith, enforced the King against his will to approve this his surprize in letters to the Queene of *England*, and to pronounce the assembly of the Estates, summoned and called by them, to be lawfull.

When the French King heard this for a certaintie, he dispatched *Motsenelan* by *England*, and *Manninguill* by Sea, with one and the same instructions into *Scotland*, to wit, That they should take some order by one meanes or other to set the King free, and confirme the faction of *France*, to allure and win the Kings minde unto the friendship of the *French*, and as joyfull newes signifie unto him, that the Queene his mother out of her motherly pietie, did grant and bestow upon

upon him the title of King, and admit him very willingly now into the fellowſhip of the Kingdome, to the end that he might be taken and acknowledged as a true and lawfull King by all Chriſtian Princes, and all the *Scots*; and thereby the diviſion and partaking of factions wholly taken away.

Shee in the meane time being vexed and troubled in minde, oppreſſed with miſeries, and pining away with the calamitie of her long laſting impriſonment, without any hope of libertie; in her long letters written in *French* (which her motherly love and anxietie of minde extorted from her) deplored unto Queene ELIZABETH her grievous and hard fortunes, and the moſt deſtreſſed eſtate of her ſonne, to this effect; for I will, out of the originall written with her owne hand, abbreviate them.

When I heard for certaintie, that my ſon was taken and ſurprized by Rebels

(as

(as I my selfe was certaine yeeres agoe) out of a just feare lest he should fall into the same and like unfortunate estate that I am in, I cannot but powre out my mournfull complaints, and engrave the same (if it may be) in thy conscience, that my innocency may evidently appeare unto posteritie; and also their ignominie and shame, by whose iniquitie I am cast into these miseries. But since the policies and cunning reaches of these persons (though wicked and lewd) have hitherto prevailed more with thee, than my just complaints; let the right and justice now yeeld and give place unto thy power, and let force oppresse the truth with men, I will appeale unto the immortal God, whom alone I acknowledge to be superior of us Princes of equall right and honour. And I will call upon the same God (with whom glosses and deceits are not regarded, and will not prevaile) that at the last day he will reward us two as we deserve each to other, howsoever my adversaries have skill to cloak their craftie and deceitfull policies with men (and peradventure also with thee.)

In his name therefore, and as it were before his judgement-ſeat, I preſent unto thy mind, by what policies ſome ſpies, uſing thy name, drew the Scots *my ſubjects to rebell againſt me, at ſuch time as I lived in* Scotland ; *and ſet on foot all the evils which have happened there from that day to this. Which thing (not to ſpeake of other matters) is moſt evident and apparant, by teſtimonies openly ſhewed, and the confeſſion of* Mourtons *owne mouth, who was for that cauſe advanced unto honour ; againſt whom, if I had dealt by courſe of Law, and thou hadſt not given aid unto the Rebels, they could never have ſtood out ſo long againſt me and my friends.*

While I was detained in priſon in Lochlevin, Nicholas Throgmorton *perſwaded me in thy name, by ſealing Letters Patents, to reſigne my Kingdome (which he affirmed would be void, and indeed all the world accounted it void) untill thou by thy favour, countenance and forces, didſt give aid unto the beginners and procurers of theſe Letters Patents.*

Patents. And tell me in good faith, whether thou doest acknowledge thy subjects to have any such authoritie over thee. And yet from thenceforth was my royall authoritie taken away from mee by thy counsell and helpe, and my Kingdome transferred unto my son, uncapable thereof by reason of his tender yeeres. And when I not long since, determined to confirme the Kingdome unto him in a lawfull manner, hee was taken away by force, by divers Traitors, who questionlesse have an intent to deprive him of his Kingdome, as they did me, if not to take away his life also. After I escaped out of Lochlevin, *and was now ready to fight and encounter with the Rebels, I implored thy aid, sending backe that Diamond which before time I had received from thee, as a token and pledge of thy love, with a large promise of aid against the Rebels; not once nor twice also giving thy fidelitie, that if I retired and came my selfe unto thee for succour, thou wouldest come in person unto the borders, and give me aid. And I trusting upon thy promise freely offered, (al-*

though thy servants had oftentimes deceived me) resolved to flee for helpe unto thee, as to my last assured Anchor, in my adversitie, and so had I done, if the way had beene as open and easie for mee, as it was for them that rebelled against me. But before I could come unto thee, I was intercepted, guarded with keepers, shut up into strong places, and from that time untill this, endured evils more grievous than death.

I know thou wilt object against me, the dealings that were betwixt the Duke of Norfolke *and me; yet I doe still deny, that they were any wrong or hurt to thee, or to thy Realme, for they were allowed by the chiefe Councellors of the Realme of* England, *and confirmed with their subscriptions; who also promised assuredly to obtaine thy consent. And how (I pray you) could such great men promise thy consent unto that should deprive thee of thy life, honour and Diadem? But yet thou wilt have all men to beleeve this.*

But when many of those Rebels did repent, though late, and saw more plainly

plainly by the conference at Yorke, betweene our Commissioners, how unjustly they dealt with me; they were forthwith besieged by thy forces in the Castle of Edenburgh; *and of the principall men, one* (Lidington) *was poisoned, and the other* (Grange) *in lamentable manner hanged. And this, after that by thy request, I had caused them once or twice to lay downe their armes upon a hope of peace, which God knoweth whether my adversaries ever imagined to keepe.*

From that time I was resolved to try whether I could mollifie rigor by patience, in suffering whatsoever they imposed on me a prisoner; yet I was utterly barred from all conference with my sonne by letters or messengers, for this whole yeere past, that the sonne might bee disjoined by this most lamentable disjunction from the mother, if it might be.

I have oftentimes set downe and proposed conditions of a peace and concord to be made betweene us, as at Chattisworth *eleven yeeres since, with the Commissioners, and with thy selfe by*

the Embaſſadours of the moſt Chriſtian King, and by mine owne : I dealt alſo ſincerely with Beale *the laſt winter ; but thoſe conditions were alwayes rejected, and delaies made and interpoſed, my advices and counſells were ſuſpected, and all the motions of my ſincere minde condemned and diſallowed. Neither did I reape any other fruit of my long-laſting patience, than that it grew to a ſetled cuſtome for mee to bee more rigorouſly uſed every day than other ; not as a priſoner, but even as a Kitchin-maid. Aſſuredly I cannot endure theſe things any longer, and hap what hap will, if I die, I will make the procurers and cauſers of my death to bee knowne : but if I live, I ſhall finde meanes, I hope, that all theſe wicked attempts and ſlanderous calumniations againſt mee, ſhall die, that I may ſpend the reſt of my life in more tranquillitie.*

Wherefore to take away all diſpleaſure and hatred betweene us, let the teſtimonies of the Spaniards, *who were lately taken in* Ireland, *bee ſhewed, let the examinations of the Jeſuits be produced,*

duced, let any body have free libertie to accuse mee publikely ; yet so, that in like manner I may have libertie to defend my selfe, and that I bee not condemned unheard. Malefactors and persons of the baseſt sort and condition are admitted to speake and defend themselves ; and their accusers are brought before their face. Why am not I so used and dealt withall, who am a Queene annointed, and thy next Cousin, and the lawfull heire of the Crowne after thee ? But this last thing is the matter which chiefly vexeth and stingeth my adversaries, which studie to keepe us still enemies, and at contention. Alas, there is no cause why this should vex them. I take God to witnesse, and upon mine honour, I have thought of no other Kingdome this long time, but onely the Celestiall Kingdome. Yet thou art bound in conscience, and tyed both by dutie and justice, not to trouble or crosse the most assured right of my sonne after my death, nor to further their secret combinations, who as well in England *as in* Scotland, *doe apply all their wit*

and power to worke the destruction of me and my sonne, which is evident and apparent by the instructions, of thy messengers in Scotland, *who used and behaved themselves most seditiously (doubtlesse without thyknowledge) but* Huntingdon *being wonderfull eager and diligent therein.*

Is this just and right, that I a mother shall be forbidden, not onely to give counsell and advice to my oppressed son, but also to understand in what distressed estate he is? If they had beene sent for my sonnes good, perhaps if they had taken mine advice with them, they should have beene for that cause the more welcome unto him. Verily thou hadst bound and tied mee unto thee more strictly, and thou hadst no cause so much to conceale their going thither, or to take away at that very time from mee all my libertie: Yet that I may speake freely; I desire thee not to use such Agents any more in the Scottish affaires: For although I beleeve that Cary (Hunsdon) *will not doe or take any thing in hand, which may bee a blemish to himselfe or his honour,*

nour, yet I cannot hope of any good to come from Huntingdon, *for his evill deserts towards mee.*

Therefore I earnestly request thee, by the most neere alliance of bloud that is betweene us, that thou wouldest seriously have regard to the safetie of my son, and not to intermeddle any more with the affaires of Scotland, *without the privitie of mee, or the* French *King; and that thou wouldest account them, who by force keepe my son in prison (and compell him to doe what they list) none other but Traitors. Moreover, I heartily request thee, by the Crosse and Passion of Christ our Redeemer; That I being (upon honest and reasonable conditions) restored to libertie, may somewhat recomfort my languishing body, for the small time of my life that remaineth (in some place out of* England) *after this long-lasting and loathsome imprisonment. In so doing thou shalt for ever bind mee and my friends, and especially my son unto thee. Which I will never cease with importunate request to demand at thy hands, untill thou doest*

yeeld and conſent thereunto. My body diſeaſed and ſubject to infirmitie, compelleth mee to be ſo earneſt. I pray thee therefore cauſe me to be uſed with more humanitie, otherwiſe I cannot endure it, I tell thee in plaine termes: And poaſt mee not over to be uſed at the pleaſure of any other, but at thy diſpoſition. Whatſoever good or evill things happen unto mee hereafter, I will attribute and aſcribe them onely to thy ſelfe. Shew mee this favour, that I may underſtand thy pleaſure from thy ſelfe by a letter, bee it never ſo ſhort, or by the French Embaſſadour. I cannot be ſatisfied in thoſe things which Shrewsburie doth ſignifie unto me, foraſmuch as they may every day be altered. When I very lately wrote unto thy Councellors, thou didſt command that I ſhould acquaint thee onely with my affaires (but it was not juſt to give them ſo great authoritie to afflict and vex mee) yet I cannot but feare, that many of them that be my deadly adverſaries have procured this, leſt the reſt, after they ſhall have heard my moſt juſt complaint, ſhould oppoſe themſelves, as well

well in respect of thy honour, as of their dutie to thee. Now resteth my most instant and importunate suit, that I thinking onely of the life to come, may have some reverend Catholike Priest, to direct me in my Religion, for the salvation of my soule. This last office is not to bee denied unto poore wretches of the basest and meanest estate. Thou doest permit unto the Embassadors of forraine Princes, the exercise of their Religion, & I voluntarily permitted it to my subjects that were of a contrary Religion. If this bee denied unto mee, I hope I shall bee excused before God. But I feare mine adversaries shall not escape without punishment. Assuredly it will bee a president unto other Princes of Christendome, to shew the like severitie against their subjects that bee in Religion contrarie unto them, if this severitie be used towards mee a free and absolute Princesse, and thy neerest Cousin, for so I am, and will be so to thee whiles I live, in spite of mine adversaries, let them stomacke it never so much. I desire not to have my familie increased, but I request

to

to have onely two maids, which are neceſſary and needfull to mee in this my weakneſſe and ſickneſſe of body. And let not my adverſaries fulfill their cruell mindes altogether againſt me, in barring me of ſo ſmall a curteſie. Whereas I am ſecretly accuſed by Shrewsburie, *that I have privily and without thy knowledge practiſed to transferre my right in* Scotland *unto my ſon, contrarie to my promiſe made unto* Beale: *I deſire thee not to give credit unto the ſuggeſtions of* Beale, *I promiſed nothing but under certaine conditions, to which I am not bound, except they bee performed by thee. From that time hitherto, I have received no anſwer; and there is not a word ſpoken of them; but yet the practices in* Scotland *to deſtroy mee and my ſonne, have not ceaſed. That long-laſting ſilence I cannot interpret to be any other thing but a plaine repulſe and denialL; and ſo I ſignified by my letters to thee, and to thy Councellors; thoſe things which the* French *King and his mother imparted unto mee, I alſo ſincerely imparted unto thee, and aſked*

ked thy advice in them, but I heard not a word from thee againe. I never had so much as a thought to submit my selfe unto thy Councell about mine affaires and my Countrey, before I knew what it should be; for it might seeme a meere folly so to doe. How my adversaries in Scotland *doe triumph over mee and my imprisoned son, thou art not ignorant; I attempted nothing there that may bee hurtfull unto thee, but onely to procure a firme peace in that Kingdome, which is more to be respected by me, than by thy Councellors: forasmuch as I have more interest therein than they. I earnestly and from my heart desired to bestow and confirme unto my son the title of a King, and therewithall to burie in the earth all discords and dissentions. Is not this to pull the Diadem from my sonnes head? But indeed mine adversaries would not have it confirmed unto my family. This is the thing they envy, when their conscience beareth witnesse against them; and being guiltie of evill, they feare mischiefe will befall them.*

Let not these and other mine adversaries

ſaries ſo blinde thine eyes, and in thy life and ſight procure the death of thy next kindred, and bring to confuſion both the Crownes; for to that intent doe they invent miſchiefe againſt mee, againſt my ſon, and perhaps thy ſelfe alſo. Can it be any good or honour unto thee, that I and my ſon ſhould bee ſecluded by their meanes and practices, and wee two betweene our ſelves ſo long? Remember thy inbred lenitie, binde thy ſelfe unto thy ſelfe; and being as thou art a Princeſſe, by thy placabilitie mollifie thy minde, and abandon all diſpleaſure and hatred towards me a Princeſſe, thy neereſt Couſin, and one that loveth thee moſt deerely; that all our affaires being lovingly compounded betweene us, I may depart out of this life, and the ſobs and ſighs of my diſtreſſed ſoule may not penetrate unto God; unto whoſe heavenly Majeſtie I offer my continuall praiers, that my juſt complaints and dolorous lamentations may now at the laſt finde way unto thee. From Sheffield *the eighth day of November,* 1582.

Voſtre treſdeſoleé plus proche parente

parente & affectionate seure, MARIE R.

Anno 1583.

WIth these letters Queene ELIZABETH was wonderfully moved and disquieted, and sent unto the Queene of *Scotland*, *Robert Beale*, one of the Clerkes of the Councell, a man rude and uncivill; who should in sharpe words expostulate with her for her letters of complaint, and also jointly with the Earle of *Shrewsburie*, to talke about her deliverance; forasmuch as shee had of late in other letters requested Queene ELIZABETH that she might after this time (upon securitie to bee given to Queene ELIZABETH) enjoy her liberty, and bee joyned with her son in the government of *Scotland*.

About this matter was a serious consultation among the Councell of

of *England*, and moſt of them were content that ſhee ſhould be delive red upon theſe conditions: To wit,

1. *That ſhee and her ſon ſhould promiſe to practiſe nothing hurtfull to Queene* ELIZABETH *and the Realme of* England.

2. *That ſhee ſhould voluntarily confeſſe, that whatſoever was done by* Francis *the ſecond, the* French *King her husband, againſt Queene* ELIZABETH, *was done againſt her will; and that ſhe ſhould utterly diſallow the ſame as unjuſt by confirming the treatie*

treatie of Edenburgh.

3 *That shee should condemne all the practices ever since that time, and ingenuously renounce them.*

4 *Shee should binde her selfe not to practise any thing directly or indirectly against the government of the Realme of* England, *in Ecclesiasticall or Civill affaires; but by all manner of meanes oppose her selfe and resist such practisers as publike enemies.*

5 *That shee shall challenge or claime no right unto her selfe in the* Kingdome *of*

of England, *during the life of Queene* ELIZABETH; *and that afterward shee will submit her right of succession unto the Estates of* England.

6 *And to the end shee may not hereafter use any cavill, and say; That shee condescended to these conditions (being a prisoner and by coaction) shee her selfe should not only sweare unto them, but also procure the Estates of* Scotland *to confirme them by publike authoritie.*

7 *The King himselfe also*

also should ratifie them by oath, and by writing.

8 And that hostages should be given.

As for the consociation with her sonne, in the administration of affaires, it was thought fit that the Queene of *England* should not interpose her selfe; but this they referred to the King of *Scotland* himselfe, and the Estates of *Scotland*. But if they were joyned together, that they should talke about the league with them joyntly, if not, by themselves.

These things were consulted of, but with no successe; For the *Scots* of the *English* faction utterly rejected them, crying amaine, that many *Scots*, deadly enemies to the *English* Nation, were called out of *France* by the Councell of the Queene of *Scotland*: And that *Holt* an *English* Jesuit was sent secretly into

into *Scotland*, to take order for the invading of *England*.

The *French* Embaſſadors, which went into *Scotland*, not obtaining that they came for, departed; whereupon the Noblemen that had ſurprized the King, grew haughty in minde, as alſo for that *Lennox* died at that time, which putting them into ſecuritie, the King contrary to their expectation, diſdaining to bee under the government of three Earles, recovered his libertie, and went to the Caſtle of Saint *Andrewes*; and with good words willed many of the ſurpriſers to depart from the Court, to avoid any ſtirre, and promiſed them pardon, if they would aske it within a certaine time (which thing *Gowry* only did) and called *Arran* back to the Court, but they were ſo far off from doing of that, as they ſecretly practiſed to take him ſuddenly againe. Hereupon they were commanded to depart out of the Realm by a day appointed; *Marre*, *Glamis*, the

the Commendators of *Dryburg*, and *Paſlet*, and others, went into *Irelund*, *Boyd*, *Zeſter-Weim*, *Lochlevin*, went into the Low-Countries, and *Dunfermellin* went into *France*: *Angus* was confined into *Angus*, only *Gowry* having a new plot in his head, tarried after the time prefixed, to his owne deſtruction.

And then the King to ſhew himſelfe a Prince, began to exerciſe his Regall authoritie. And whereas theſe Conſpirators in an aſſembly called by their owne private authority, had enacted and recorded, That this ſurprize of the King was juſt; he on the contrary part declared, in a great aſſembly of the Eſtates, that the ſame was traiterous, Although the Miniſters (as if they were the ſupreme Judges in the Realme) in a Synod called by their owne authoritie, pronounced the ſame to be juſt, and judged all them that did not approve and allow the ſame, worthy to bee excommunicate.

Anno

Anno 1584.

IN the beginning of the Spring, some of the *Scots* returned out of *Ireland*, upon a pact made betweene them and *Gowry*, who had conspired anew with divers, to take the King againe; professing that they set before their eyes nothing else but the glorie of God, the truth of Religion, the securitie of the King and Realme, and the amitie with *England*, against them who by sinister meanes (as they gave out) abused the King, not yet come unto sufficient age. But the King hearing hereof, sent Colonell *Stewart* to apprehend *Gowry*, who lay at the Haven of *Dondee*, as if hee had beene going out of the land; who after hee had defended himselfe an houre or two in his house, was taken and carried away unto prison.

In the meane time the other Conspirators

Conſpirators tooke *Sterling* by ſudden ſurprize, and the Caſtle was yeelded unto them; yet by and by they leave them both, becauſe the King diſplaied his banners, as ready to fight, not ſo many met, as *Gowry* had promiſed, and their hope of *Engliſh* helpe failed them, and ſo for feare, *Marre*, *Glamis* and *Angus*, who was come to them, and others fled into *England*, humbly beſeeching the Queene to releeve their neceſſities, and to intreat the King for them: Foraſmuch as they had loſt all their goods and the Kings favour, for ſhewing their love to her and *England*, unto whom ſhee thought good to ſhew ſome favor, that they might be oppoſed againſt the contrarie faction in *Scotland*, and the rather for that the Miniſters bruted, that the King was upon the point to fall from his Religion, upon no other ground (though they fained other matters) but for that he upon a filiall love inclined to his mother,

and

and received into his eſpeciall favour and grace thoſe whom hee knew to bee moſt addicted unto his mother.

In the meane time *Gowry* was arraigned before his Peeres at *Sterling*, upon theſe points: That hee intended and began a new conſpiracie againſt the King, whom hee had alſo kept priſoner in his houſe beforetime: That hee conferred by night with the ſervants of *Angus*, to ſeize upon *Perth* and *Sterling*: That he had reſiſted the Kings authoritie at *Dondee*; had conceived a conſpiracie againſt the life of the King, and his mother. Laſtly, that hee had asked counſell of *Maelina* the Witch: and being found guilty by his Peeres, hee was in the evening beheaded; but his ſervants ſowing the head unto the body, buried it incontinently.

About the ſame time were ſome practices in *England*, but with no ſucceſſe, in the behalf of the Queen of *Scotland*; of which the chiefeſt was

was *Francis Throgmorton* eldeſt ſon to *John Throgmorton* Juſtice of *Cheſter*; who fell into ſuſpicion out of his letters unto the Queen of *Scotland*, which were intercepted. As ſoone as hee was taken, and began to confeſſe ſome things, *Thomas* Lord *Paget*, and *Charles Arundel* a Courtier, fled out of the land into *France*, who with other Papiſts, lamenting their eſtate among themſelves, complained, that the Queen by the wicked and craftie dealings of *Leiceſter* and *Walſingham*, was eſtranged from them: That they were abuſed with contumelies and reproaches: That ſtrange kinds of ſubtilty were inventedagainſt them: That ſecret ſnares were ſo cunningly laid, that whether they would or no, they ſhould be brought within the compaſſe of treaſon; and that they had no hope of ſafetie at home. And to ſay the truth, very craftie trickes and devices were deviſed and uſed to trie mens minds; counterfeit letters under the names

of the Queene of *Scotland* and the fugitives covertly ſent and left in the houſes of Papiſts, ſpies diſperſed in every place, to hearken after rumours, and to take advantage of words: bringers of tales, whatſoever information they brought, were received and entertained; very many examined upon ſuſpicion, and amongſt them, *Henry* Earle of *Northumberland*, and his ſonne *Philip* Earle of *Arundel* commanded to keepe his houſe, and his wife delivered unto the keeping of *Thomas Sherley*; *William Howard*, brother to the Earle, and *Henry Howard* their Uncle, brother unto the Duke of *Norfolke*, oftentimes examined concerning letters from the Queene of *Scotland*, from *Charles Paget*, &c. who eſcaped very narrowly for all his prudence and innocencie.

The Lord *Paget* and *Charles Arundel* being arrived in *France*, were watched and obſerved by *Edward Stafford* the Queenes Lieger Embaſſadour with the French King: but

but yet he could not finde out their purposes and practices. Yet dealt hee with the French King, that they, *Morgan* and other Englishmen, plotting against their Prince and Countrie, might bee removed out of *France*. Hee was answered, *If they practised any thing in France, that the King would punish them according to the Law; that the King could not take knowledge and doe justice on them if they had plotted any thing in England. That all Kingdomes are free unto them that flie thither for succour, that it behooveth all Kings, every one to defend and maintaine the liberties of his Kingdome, and that Queene* ELIZABETH *not long since had received into her Kingdome, Montgomery, the Prince of Condee, and other Frenchmen, and that at this very time the Embassador of the King of Navarre practising some plots, lieth in England.*

About such time as these things were done, *Bernardino de Mendoza*, Embassadour for the King of *Spain* in *England*, passed in great secrecie

into *France*, fretting and fuming as if he had been driven violently out of *England*, and the right of an Embaſſador thereby violated, when he himſelfe being a man of a violent and turbulent ſpirit, abuſing the ſacred right of Embaſſade unto treaſon, was to be purſued (as many were of opinion) after the ancient manner of ſeveritie, with fire and ſword, and commanded to depart out of the Kingdome; for hee medled and was acceſſary with the wicked plots of *Throgmorton* and others, to bring in forraine power into *England*, and to diſpoſſeſſe the Queene. And when he was mildly reproved of thoſe things, hee was ſo far from wiping the objections away with a modeſt anſwer, that he re-charged againe the Queene and her Councellors with their detention of the money of the Genowayes, with the ſuccours given unto the Eſtates of the Netherlands, and unto the Duke of *Anjou*, and unto *Don Antonio* the Portugall, and

and with the piracies and spoiles made by *Drake*.

Yet lest the King of *Spaine* should thinke that the lewd parts of *Mendoza* were not revenged, but the right of an Embassadour violated, *William Waad* Clerke of the Councell is sent into *Spaine*, who should plainly informe him how badly hee had discharged the office of an Embassadour, and withall should signifie (lest the Queene in sending him away might seeme to renounce the ancient amitie betweene the Kingdomes) that all kinde and friendly offices should be done on her part, if hee sent any other as his Embassadour, who was desirous and willing to conserve the amitie betweene them; conditionally that the same curtesies might be shewne unto her Embassadour in *Spaine*. But when the King of *Spaine* would not vouchsafe to admit *Waad* unto his speech, but referred him to his Councellours, hee taking it in evill part, without

fear ſpake openly, that it was a moſt uſuall & received cuſtome, that Embaſſadors ſhould be admitted to the preſence of Princes, even by their enemies, and in the time of the hotteſt warres: And that *Charles* the fifth the Emperour, father to the King of *Spaine*, admitted to his preſence the Herald, who from the French King denounced warre againſt him, and in plaine termes denied to acquaint the Counceellors with his errand. And when *Idiaques* Secretary to the King of *Spaine*, could by no policie get out of him what his meſſage was, at laſt hee received all the matter from *Mendoza* lurking ſecretly in *France*. Then hee laying aſide his publike perſon, in familiar manner ſignified unto *Waad*, that hee was very ſorry that there were ſome who cunningly laboured to breake the amitie, and to nouriſh diſcord between the Princes; that wrong was done to the Catholike King himſelfe, not unto his Embaſſadours, firſt, to

Deſpes,

Deſpes, and now unto *Mendoza*, and that there was no cauſe why hee ſhould accuſe unto the King any more *Mendoza*, who was ſufficiently diſgraced by his ignominious ſending out of *England*; or complaine that hee was not admitted: And that the Catholike King did no more but like for like, ſince *Mendoza* had beene diſmiſſed without audience; and as ſhe had referred *Mendoza* unto her Councellors, ſo the King in like manner put him off unto the Cardinall *Granvellan*. When *Waad* anſwered, that there was much difference betweene him who had never offended the Catholike King, and *Mendoza* who had offended grievouſly againſt the Queene, and had a long time not vouchſafed to come unto her, and had committed things unfitting an Embaſſidour: Yet he could not be admitted; and not being heard, he returned home. The moſt of the crimes which hee was to object againſt *Mendoza*, were taken out of

the confeſſion of *Throgmorton*: who being ready to be apprehended, had ſecretly ſent a deske (wherein his ſecrets lay) unto *Mendoza*. His other deske being narrowly ſearched, there were found two Rolls or Liſts, in one of the which the names of the Havens of *England* which were fit to land Forces, in the other the names of the Noblemen and Gentlemen of *England* who profeſſed the Romane Catholike Religion, were written down. As ſoone as hee ſaw them brought out and ſhewne to him, hee cried out often that hee never ſaw them before, and that they were foiſted in to worke his deſtruction, yea even when hee was examined upon the racke: but laid againe upon the racke, he denied not to anſwer unto their Interrogatories. Being aſked of thoſe Rolls or Catalogues, and for what purpoſe they were written, hee made this hiſtoricall narration: *That hee a few yeeres ſince going unto the waters at the Spaw, did conſult*

consult and devise with Jeney and Fra. Inglefield how England might be invaded, and the forme of government thereof altered and changed, and upon that reason that hee set downe the names of the Havens and of the Noblemen. That Morgan *by his letters had signified unto him out of* France, *that the Catholike Princes had now consulted and determined that* England *should bee invaded, and the Queene of* Scotland *delivered under the conduct of* Guise *as Generall, who wanted nothing but money and some bands of men in* England *to joyne with him to his helpe. To procure these things, that* Charles Paget *under the counterfet name of* Mope, *was sent secretly into* Suffex, *where the Duke of* Guise *determined to land his Armie. That he acquainted* Mendoza, *who had notice and knowledge of these things already by the Conspirators, with the matter, and told him the names of the Havens and Noblemen. Neither did he denie that he promised his furtherance, and withall to have admonished* Mendoza *with what Noblemen hee being a publike person*

ſhould treat of this matter, which he being a private man could not doe without great danger: and that he ſhewed a way to him how ſome principall Catholikes as ſoone as the forraine Forces were landed, might levy ſouldiers in the Queenes name, and then to joyne them to the forraine Forces. Theſe things hee voluntarily confeſſed.

Yet at the Barre in the Guildhall of *London*, being accuſed of theſe things, hee preciſely denied every one of theſe things, and averred that they were meere devices of his owne head, to avoid the torment of the rack again; and openly accuſed the Queene of cruelty, and the examiners of falſhood, deviſing an eſcapatory or ſtarting-hole by the ſpace of time which was betweene the fault committed and the judgement. Foraſmuch as in the thirteenth yeere of Queene ELIZABETH certaine things were made treaſons, for the which none ſhould be arraigned except the delinquent were indited within ſix moneths after

after the fault committed, and the crime was proved by the testimonie and oath of two men, or by the voluntary confession of the offender, without violence; and that this time was expired long since, and that therefore hee was not to be arraigned for the same. But the Judges told him that the crimes objected unto him, were not of that kinde, but that he was liable to the Law by an ancient law of treason made in the time of King *Edward* the third, which admitteth no circumscription of time or proofe, and that by that law the sentence of death was pronounced against him. Being afterward perswaded, he fled unto the mercy of the Queene, and againe confessed in a writing more fully, all things which hee had said before; which things, not persevering in his words, he began to deny againe at the gallowes, but in vaine.

M. *Waad* being returned out of *Spaine*, was sent to the Queene of *Scotland*,

Scotland, about a treatie to bee had betweene her and Sir *Walter Mildmay*, which was propounded two yeeres ſince, and interrupted, as is ſaid before, unto whom ſhe affirmed with great proteſtations, with what ſinceritie ſhe hath dealt about this treatie, and withall, devoteth herſelfe and all her labour unto the Queene, and promiſeth to depend wholly on her, if onely ſhe would vouchſafe her ſo much love and honour. Moreover, ſhee firmely promiſed, ſo that the treatie might go forward, that ſhe would intercede, yea, and bring to paſſe that her ſon ſhould receive *Angus* and the other Noblemen of *Scotland* into favour; and alſo that the Biſhops of *Roſſe* and *Glaſco*, her Agents and Miniſters in *France*, ſhould not plot anything againſt the Queene and Kingdome of *England*, and that ſhee would have nothing to doe with the Rebels or Fugitives of *England*.

Queene ELIZABETH was glad

glad to heare these things, and whereas that *Angus*, *Marre*, *I. Hamilton*, and *Glammys* were fled into *England*, and making use of the opportunitie offered, sent *Beale* unto the Queene of *Scotland*, who together with the Earle of *Shrewsburie*, should shew her, that if shee continued in the same minde with which shee had acquainted Master *Waad*, that *Mildmay* should come forthwith unto her, and treat with her about her libertie, and then should talke with her in the meane while to intreat her sonne the King to restore the *Scottish* Fugitives, and to tell her that they had committed no fault against the King, but against some violent Councellors who gave him evill counsell; and lastly, that as much as they could they should get out of her the practices of the *Guises*. Shee being a wise woman, answered; *That shee much desired that the treatie might goe forward, and that shee requested earnestly of Queene* ELIZABETH *as* of

of her eldeſt ſiſter, unto whom ſhe gave all honour. That ſhee had propounded nothing unto Maſter Waad, but upon condition, and that he whom ſhe thought to be an honeſt man would not ſay otherwiſe. For the reſtoring of the Scots, that her labour therein would bee very neceſſarie, and ſhould not be wanting if ſhee certainly knew any good would redound to her ſelfe and her ſonne, ſo that they would humbly ſubmit themſelves unto the King, and bee obedient unto him; but if that were not done, that then the Queene ſhould give aid unto her ſonne, that they might bee reduced unto their obedience. Moreover, ſhee doth not cloake nor hide it, that ſhe when ſhee was ſickly, committed her ſelfe and her ſonne unto the care and truſt of the Guiſe her moſt deare Couſin, of whoſe purpoſes or intents ſhee knew nothing, neither would ſhee diſcover them if ſhee knew them, unleſſe a firme aſſurance were given her of her libertie; for that it was the part of an unadviſed perſon to forſake her aſſured friends, for an uncertaine hope. She requeſted that ſhe being

being an absolute Prince, might bee no more dishonourably used, than Queene MARIE *did sometime deale with her selfe, being at that time her subject, and imprisoned; or than the* French *King did use the King of* Navarre, *being also his subject, and bore armes against him. She also requested that the treatie might be brought to an end before any in* Scotland *were sent Embassadour about that matter. And for that the* French *King had acknowledged her ordinarie Embassadour, and* Seton *sent by her son into* France, *as Embassadours from Princes of the same authoritie and conjyned, shee gave that honour to the Queene, to publish this Association of her and her sonne in* Scotland, *and besought her not to prejudicate the same.* These things were heard, but by terrors objected, shifted off and deluded by the meanes of them who knew how to nourish the hatred betweene the women that bore no inward good will one to the other, especially by the discoverie of the papers which *Chreyton a Scottish* Jesuit

ſuite ſailing into *Scotland*, and intercepted by ſome Sea-rovers of *Holland*, tore in peeces: but the torne papers caſt out of the ſhip, were caſt againe into the ſhip by a contrary winde, not without a miracle, (as *Creyſton* himſelfe ſaid) and glewed together by the great labour and ſingular skill of *Waad*, laid open and diſcovered new plots of the Pope, of the King of *Spaine*, and the *Guiſes*, about the invading of *England*.

Therefore to occurre unto and prevent the wicked counſels and ſecret policies of ſeditious perſons, and to provide for the Queens ſafetie, upon the which both the Kingdome and Religion depended: Many men (*Leiceſter* being the beginner) of all eſtates in *England*, out of common charitie, whileſt they feared not her, but were fearfull of the other, bound themſelves in a certaine Aſſociation, with their mutuall oathes, ſubſcriptions and ſeales, to perſecute with all their forces

forces unto death, them who did attempt any thing against the Queene.

The Queene of *Scotland*, who quickly understood that a way was made by it to make her away, wearie of her long miserie, and fearing worse things, propounded these things to the Queene and her Councellors, by *Navus* her Secretarie: *If her libertie might be granted, and that she might be assured of the sincere minde and love of Queene* ELIZABETH, *that shee would binde her selfe in a most strict league of amitie with the Queene, most dutifully honour and observe her before all other Christian Princes, forget all offences past, acknowledge her the true and most right-full Queene of* England, *and that shee would not challenge during her life any right unto the Crowne of* England, *nor practise any thing against her directly or indirectly; and utterly to renounce the title and arms of* England, *which she had used by the commandement of* Francis *her husband; and also unto the Bull of the Pope*

Pope about her deposition and deprivation: Yea and also enter into that Association, *for the securitie of the Queene; and into a defensive league (saving the ancient league between* France *and* Scotland) *yet so that nothing bee done in the life of the Queene, or after her death, which may be hurtfull unto her, her son, and their heires in succession, before they be heard in the Assembly of the Estates of* England. *For more assurance of these things, that shee will remaine as an hostage in* England, *and if shee may have leave to depart out of* England, *that shee will give pledges. Moreover, that she will alter nothing in* Scotland, *so that the exercise of her religion bee permitted onely to her and her familie. That she will for ever forget all the wrongs done her in* Scotland, *(but yet under that condition, that the things published to her infamie may bee repealed.) That shee will commend unto the King Councellors which were desirous to keepe peace with* England; *and would reconcile unto him as much as lay in her the Noblemen that were fled into* England,

England, *if they would humbly acknowledge their fault, and that the Queene gave her word to give aid unto the King against them, if at any time they fell or departed from their obedience. That shee would doe nothing about her sons marriage, without the privity of the Queene; and that she would not do any thing without the privitie of her son: so she requested that her son might bee joyned in this treatie, whereby it may bee made more strong. Shee doubted not but that the King of* France *would bee contented, and binde himselfe by promise together with the Princes of the house of Lorraine, for the performance of these agreements.* Shee also desired that these things might bee answered with speed, lest any thing might happen in the mean while to hinder it. Lastly, shee earnestly desired, that shee might have the favour to have more libertie, that therein the love of the Queene might appeare more evidently to her.

Out of these things, as matters of much honour and dutie, Queen

ELIZABETH ſeemed to rejoice; and it was then thought ſhee was inclined to deliver her, although there were ſome in *England* who ſetting new feares before her eyes, drew her from it. But the matter being well followed, and in a manner concluded, was moſt of all hindred by the *Scots* of the contrarie faction, who exclaimed that Queen ELIZABETH was utterly undone, if ſhee were delivered out of priſon; and both the Realmes would be undone, if ſhee were joyned with her ſonne in the Kingdome of *Scotland*; and if the exerciſe of the Romane Religion were permitted unto her, if it were but in her Court.

And ſome of the *Scottiſh* Miniſters in *Scotland*, out of their Pulpits, and in their meetings, railed moſt vilely againſt their Queene: they ſpoke ill of the King and his Councellors, and being commanded to appeare in perſon, obſtinately and contemptuouſly denied

ſo

ſo to doe, as if the Pulpits were exempted from the Kings authoritie, and that Eccleſiaſticall perſons were not ſubject to the King, but to the Presbyterie; directly againſt the lawes made this yeere in the Aſſemblie of the States, in the which the Kings authoritie over all perſons, both Eccleſiaſticall and Laicks, was confirmed for ever: *viz.* That the King and his Councellors are competent Judges in all cauſes; and they who would not obey the ſame, are to be accounted for Traitors. The aſſemblies of Presbyteries (as alſo thoſe of Laicks) as well generall as particular, were prohibited, as having arrogated without the Kings privitie, boundleſſe authoritie, and when they liſt of meeting together, and of preſcribing lawes unto the King and unto all the Realme. And alſo the popular equalitie of Miniſters were abrogated, and the dignitie and juriſdiction were reſtored unto the Biſhops, whoſe vocation the Presbyteries had

had condemned as Antichriſtian. And the ſlanderous writings againſt the King, his mother, and Councellors, were forbidden, and by name the Hiſtorie of *George Buchanan*, and his Dialogue, *De jure regni apud Scotos*, as thoſe which containe many things fit to be corrected and blotted out of memorie. And alſo many men blamed *Patricke Grey* the *Scottiſh* Embaſſadour in *England*, as if hee (won by bribes) had babbled out much matter to the hutt of the King and his mother, and had hindred that theſe moſt equall conditions propounded from the Kings mother, and ſent by *Navus*, were not admitted.

Whereupon ſhe having her patience oftentimes wronged, fell into a grievous ſorrow and indignation, and ſo great was her deſire of libertie, that ſhe gave her minde and eares as well unto the treacherous conſell of her enemies, as unto the pernicious devices of her friends

friends: And so much the more, for that as shee had perswaded her selfe that the *Association* was made to endanger her life; so now shee had an inkling that by the policie of some men she was to be taken away from the keeping of the Earle of *Shrewsburie*, (who being an upright man, did not favour their plots) and to bee committed unto new keepers. And that it might be done with a better colour, and the credit of the Earle of *Shrewsburie*, which was approved and well knowne, might not seeme to bee suspected, (for it was not thought good to call in question the reputation of so great a man, which yet they had cracked by secret slanders, upon the finding fault of his unreasonable wife) suspicions were laid hold on, as if the plot of getting her libertie had beene begun, out of certaine Emblemes sent by some unto her. Those were, *Argus* with many eyes, lulled asleepe by *Mercury* playing tunes on his pipe, with this little

little sentence, *Eloquium tot lumina clausit.* Another was *Mercury* striking off the head of *Argus* keeping *Io.* A graft or cyon engrafted in a stocke and bound with bands, yet flourishing, and written about it, *Per Vincula cresco.* Another was a Palme tree much laden, but rising againe, with these words; *Ponderibus Virtus innata resistit.* Also an Anagram, *Veritas armata*, out of her name, MARIA STUARTA, the letters being transposed, which was taken in the worse part. Moreover, there were letters shewne as if they had been intercepted. in the which the friends of the Queene complained that all their hope was quite cut off, if she was but put into the custodie of the Paritanes. Under this colour shee was taken from *Shrewsburie*, and committed to the custodie of *Amias Paulet* and *Drewgh Drury*, and that of purpose (as some thinke) that being driven into desperation, shee might bee more apt to take abrupt counsells,

and

and more easie to bee intrapped. For *Shrewsburie* in all that fifteene yeeres, had so providently kept her, that there was no place left of plots from her or against her. And now also shee dealt more earnestly with the *Pope* and the King of *Spaine*, by *Francis Inglefield*, to hasten that which was begun, and that with all expedition, whatsoever became of her. And *Leicester* (who was thought to study how to deceive the right owner of the succession) secretly sent ruffians (as many said) to murther her. But *Drury* an honest minded and upright man, detested the wickednesse from his heart, and suffered them not to have any accesse unto her. Yet some spies secretly crept in, and there were closely sent as well counterfeit as true letters, by which her womanish weaknesse might be thrust forward to her destruction, as we will say hereafter.

And to turne quite away the love of Queene ELIZABETH from

her, it was whiſpered in her eares, that *Allan* for the Catholikes Eccleſiaſticks of *England*, and *Inglefield* for the Laicks, and the Biſhop of *Roſſe* for the Queene of *Scotland*, with common conſent, and with the conſent of the *Pope* and the King of *Spaine*, had decreed that Queene ELIZABETH was to be depoſed from her Crowne, and the King of *Scotland* was to be diſinherited of the kingdome of *England* as manifeſt and open Heretiques; the Queene of *Scotland* to be married to ſome Catholique Nobleman of *England*, hee to be choſen King of *England* by the *Engliſh* Catholikes, and the election to be confirmed by the *Pope*: The lawfull children of this man by the Queene of *Scotland*, to be declared ſucceſſors in the Kingdome. And all theſe things upon the credit of *Hart* a Prieſt. But who this *Engliſhman* ſhould be, *Walſingham* made diligent inquiry, but he found not who he was. But the ſuſpicion fell upon

upon *Henry Howard* brother to the D. of *Norfolke*, who was of the chiefe Nobility, a single man, and an earnest Roman Catholike, and amongst them of great reputation and account.

Anno 1585.

IN the beginning of this yeare was a Parliament holden at *Westminster*, where the aforenamed Association was confirmed by the common consent of both the houses. And it was enacted, *that fiue and twenty or more of the Privy Counsell and Nobility of the land chosen by the Queenes letters Patents, might inquire of them, who shall invade the Realme, raise rebellion or attempt to hurt or kill the Queenes person for any whosoever, or by them whosoever, who may challenge right unto the crowne of* England. *But he for whom or by whom they shall attempt, shall bee made uter-*

by uncapable of the Crowne of England, *and ſhall be utterly deprived of all right thereunto, and ſhall bee purſued even unto death by all the ſubjects if he ſhall be judged, and publikely declared by thoſe foure and twenty men to be privy to ſuch an Invaſion, rebellion or hurt.*

There were alſo acts made againſt Prieſts and Ieſuits to this effect; *That they ſhould depart out of the Realme within X L. daies. That for them who from thenceforth came into the Realme and ſtaied, it ſhould be treaſon.*

That they who knowing them to bee ſuch, doe relieve, receive or helpe them, ſhould be felons (ſo they call all capitall offences under treaſon.)

That they who are brought up in the Seminaries, if within ſix moneths after proclamation made they doe not returne, and doe not make ſubmiſſion unto the Queene, before the Biſhop, or two Iuſtices of peace, ſhall be guilty of treaſon.

But they who ſhall ſubmit themſelves, if within ten yeeres they come unto the

Court

Court, or neerer it than ten miles, their submission shall be void.

They whosoever shall send any money by any manner of meanes, unto the Students in the Seminaries, shall incurre a Præmunire (that is, perpetuall imprisonment and losse of all their goods.)

If any of the Peeres of the land, that is to say, Dukes, Marquesses, Earles, Barons, Lords of the Parliament, shall offend against these lawes, hee shall be tried by his Peeres.

They who shall know any such Iesuits and others, to lye hid in the Realme, and shall not discover them within twelve daies, shall bee fined at the Queenes pleasure and put into prison.

If any man be suspected to be a Iesuit or Priest, and doe not submit himselfe unto examination, for his contempt hee shall bee imprisoned untill he do submit himselfe.

He that shall send his children or any others unto the Seminaries and Colleges of the Roman profession, shal lose and forfeit a hundred pounds of English *money.*

And they who are sent, shall not succeed in their heritages, nor enjoy the goods that may fall unto them by any manner of meanes.

And so shall they also who within a yeare after they returne home from the Seminaries, except they doe conforme themselves unto the Church of England.

If the keepers of havens permit others beside Sailers, Mariners, and Merchants, to passe over the Sea, without the Queenes licence, or six of her Counsellors, shall lose their places, and the Masters of the ship who shall carry them out shall lose and forfeit their ships and goods, and be imprisoned a whole yeere.

With the severity of these lawes, the Roman Catholikes in *England* were very much terrified, and amongst them *Philip Howard* Earle of *Arundell*, eldest sonne unto the Duke of *Norfolke*, insomuch that hee determined to depart out of the Land, lest he should offend against them. This man by the benignity

of

of the Queene was restored in bloud three yeers before this time, and a little after he fell out of the Queenes favour and grace, by the secret insimulation of some great Courtiers, had secretly reconciled himselfe unto the Romane religion, and used a very austere life. Hereupon he was once or twice called before the Counsell, and cleared himselfe of the objections laid to his charge, but yet he was commanded to keepe his house. After six moneths more or lesse he was discharged, and came to the Parlament; yet the first day when the Sermon was preached, he stole covertly out of the company. The Parlament being ended, as being resolved to depart away out of the Land, in his letters written unto the Queene, which yet he commanded to be delivered after hee was gone over, he made a long and lamentable complaint *of the envie of his mighty adversaries, unto which hee was forced to yeeld, forasmuch as they*

triumphed over his innocency, hee repeateth the unfortunate deaths of his Anceſtors, that is to ſay, of his great grandfather, who was condemned and never called to tryall, of his grandfather, who was beheaded for trifling matters, and of his Father, who, as hee affirmed, was circumvented by his enemies, and who never carried any evil mind toward his Prince or Countrey. But that hee, leſt hee ſhould runne into the ſame hard fortune his father had, forſooke his countrey (that he might ſpend his time in the ſervice of God, and in the workes tending to the ſalvation of his ſoule) but not his loyalty and fidelity toward his Prince. Before theſe letters were delivered, he went into Suſſex, and being ready to take ſhip in an obſcure creeke, was taken and apprehended by the treachery of his ſervants, and diſcovery of the maſter of the ſhip, and committed unto the Tower of London.

At that time there was priſoner in the ſame place *Henry Percy* Earle of *Northumberland*, a man of a live-

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ly spirit and courage (brother of *Thomas* beheaded at Yorke) suspected to be privy unto the plot of *Throgmorton*, the Lord *Paget* and the *Guises*, for the invading of *England*, and delivering of the Queene *Scotland*, unto whom alwaies hee had borne a great love and affection. In the moneth of Iune he was found dead in his bed, shot thorow with three bullets about the left pappe, the doores being bolted on the inside. The Crowners quests according to the custome, taken out of the next neighbours and sworne by the Crowner, viewing the body, considering the place, having found the pistol, with the gunpowder in the chamber, his man who bought the Pistoll, and the seller thereof, being examined, gave their verdict, that the Earle did murther himselfe. The third day after, the Noblemen of the Realme came in great number, and met in the Starre chamber, where *Thomas Bromly* Lord Chauncellor

of *England* ſuccinctly declared, that the Earle had plotted and deviſed treaſon againſt his Queene and Countrey, which being now to come unto light, and to be diſcovered, upon the guiltineſſe of his conſcience had murdered himſelfe. But that the multitude and common people, who alwaies conſter things to the worſt, might bee ſatisfied, he commanded the Kings Atturney, and the Kings Counſell at law, to deliver and explaine at large the cauſes why the Earle was kept and detained in priſon, and the manner of his death. Hereupon *Popham* the Queenes Atturney Generall, beginning at the rebellion in the North, ſheweth out of the Records, *That he was arraigned for this Rebellion, and for purpoſing to deliver the Queene of* Scotland, *did then acknowledge his fault, and ſubmitted himſelfe unto the mercy of the Queene, and that hee was fined at five thouſand marks (as I have ſaid before) and that the Queene, ſuch was her elemencie,*

cie, tooke not a penny, but remitted the same, and that after the execution of his brother for the same fault, she confirmed him in the honour of Earle of Northumberland. That hee nevertheless entred into new practices to deliver the Queene of Scotland, *to conquer* England, *and to kill the Queene, and to destroy Religion: That* Mendoza *the Spanish Embassador had signified unto* Throgmorton, *that* Charles Paget, *under the name of* Mope *had talked with him of these things secretly in Sussex: That the* Lord Paget *had insinuated the same things almost unto* Throgmorton, *and that the same things were evident and apparent by the papers of* Chreyton *the Scottish Iesuite, and that* Charles Paget *had told these things unto* William Shelley *when hee returned out of* France.

Then *Egerton* the Queenes Solliciter, argued wittily out of the circumstances and the great care taken of concealing it, that the Earle was guilty of, and privy to these things,

that is to say, *For that the Earle since that none in* England *could charge him with these things, but the Lord* Paget, *who was very familiar with* Throgmorton, *a few daies after the taking and apprehension of* Throgmorton, *made a ship ready for* Paget *by* Shelley, *in which hee passed over into* France. *When* Throgmorton *began to confesse some things, hee departed from London and went out of the way unto Retworth, and signified unto* Shelley *whom hee had sent for unto him, that hee was fallen into great danger of his life, and of his estate, and requested him to conceale the businesse, and to send away them who were acquainted with the departure of the Lord* Paget, *and with the comming of* Charles Paget, *which was done forthwith. And he himselfe sent a good way off, the man whom hee had used about* Charles Paget. *Moreover the Solicitor said, that he being now in prison, dealt oftentimes with* Shelley *(by the Keepers whom hee corrupted) to know what things, and of what nature he had con-*

confessed. After that Shelley *by a poore woman a secret messenger betweene them, had certified him that hee could not conceale matters any longer, that their condition and estate were not like, that hee should be put on the racke, but that the Earle could not, in respect of his place and degree, and had written those things which he had confessed, the Earle sighed grievously, and sometimes said, as* Panton *who waited on him in his chamber confessed, that by the confession of* Shelley *hee was utterly undone.*

Then the manner and reason of his death is declared, out of the testimony of the Enquest, of the Lieutenant of the Tower, of some of the Warders, and of *Panton*, and thereupon it was gathered, that hee, for feare lest his house and family should bee utterly destroyed, and a blemish and blot imposed thereon, had laid his owne violent hands upon himselfe. Truly many honest men, as well for that they favour Nobility, as also for that he was holden

and

and reputed a man of very great valour, were heartily sorrie that such a man came to such a lamentable and wretched death. What things the suspecting fugitives talked in corners of one *Ballive*, one of *Hatton's* men, who a little before was made Keeper unto the Earle, I omit as a thing of small credit, neither meane I to set down any thing out of idle reports.

Anno 1586.

IN this yeere *Philip* Earle of *Arundell*, who had laine now a whole yeare in prison, was accused in the Starre Chamber, *That he had relieved Priests against the lawes, that he had had commerce of letters with* Allan, *and* Parsons *the Jesuite, enemies of the Queene, and that hee had derogated in writing from the Justice of the Land, and imagined to depart out of the*

land

land without licence. Hee professing his duty and service unto the Queene, and his love and good will unto his countrey, excused himselfe with great modesty, by the love he had to the Catholike Religion, and by his ignorance of the lawes, and submitted himselfe unto the censure and judgement of the Lords, who fined him at tenne thousand pounds, and to be imprisoned during the Queenes pleasure.

In the moneth of July a most pernicious conspiracie against Queene ELIZABETH was found out and came to light, which I will briefly describe.

At Easter, this yeare, *John Ballard* a Priest of the Seminarie of *Rhemes*, who had visited many Roman Catholikes in *England* and *Scotland*, returned into *France*, accompanied with *Mawd* one of *Walsinghams* spies, a most craftie dissembler, who had bleared his eyes; and talked with *Bernardino Men-*

Mendoza, at that time ordinary Embaſſadour of the King of *Spaine* in *France*, and with *Charles Paget* a man exceedingly addicted to the Queene of *Scotland*, about the invading of *England*, ſaying that now was a moſt fit time, all the military men being abſent in the Low-Countries: and that they could not hope for a fitter time, ſince that the Pope, the King of *Spaine*, *Guiſe* and *Parma*, were determined to ſet upon *England*, by that way to turne the warre out of the Low-Countries. And though *Paget* held it cleere, that it would be in vaine as long as the Queene lived, yet *Ballard* was ſent backe into *England*, being ſworne to procure aid and helpe unto the Invaders, and liberty unto the Queene of *Scotland*, and that with all ſpeed, and as ſoone as he could.

At Whitſontide following this *Ballard* apparelled like a ſouldier, and called by a counterfeit name, *Captaine Foſcu*, arrived in *England*, and

and talked at *London* about these things with *Anthony Babington* of *Dethicke* in *Derbishire*, a young man well borne, rich, of an excellent wit, and learned above his yeeres, who being addicted to the Roman Religion, had a little before stollen over into *France*, without any licence, and had beene very familiar with *Thomas Morgan*, one that belonged unto the Queene of *Scotland*, and with the Bishop of *Glasco* her Embassador, which two in extolling continually the heroicall vertues of such a Queene, had shewed such ceraine hopes of great honours and preferments by her, of which the ambitious young man quickly tooke hold: they also commended him, thinking of no such matter in their letters to the Queen of *Scotland*. For when he was returned into *England*, shee curteously saluted him by her letters, and from that time *Morgan* used to send over, and to convey letters unto her by his meanes, untill such time

time as she was put over to be kept by *Amyas Paulet*. For then the young man seeing the danger, left off: With this *Babington*, I say, did *Ballard* deale about this matter. He was fully perswaded that the Invasion of *England* would come to nothing so long as Queene ELIZABETH lived. But when *Ballard* had insinuated that shee should not live long, that *Savage* who had taken an oath to kill her, was already come into *England*; *Babington* did not like that so great a matter should be committed only to *Savage*, least hee should faile in his attempt, but rather to fix stout Gentlemen, whereof he would have *Savage* to be one, least hee should breake his oath: and *Babington* devised a new way to have the land invaded by strangers, of the havens where they should take land, of the aid that should be joyned to them, how to deliver the Queene of *Scotland*, and to kill the Queene.

Whiles

Whiles he ſtudied earneſtly about this matter, he received by a boy unknowne, letters in a character or ziffre familiar between the Queene of *Scotland* and him, which mildly accuſed him for his long ſilence, and bade him to ſend with ſpeed a packet of letters ſent from *Morgan*, and delivered by the Secretary of the *French* Embaſſador: which thing hee did, and withall by the ſame meſſenger wrote letters unto her wherein *he excuſed his ſilence, for that he was deprived of meanes and opportunity to ſend, from the time that ſhe was put into the cuſtody of* Amyas Paulet *a Puritane, a meere Leyceſtrian, and a profeſſed enemie of the Catholike faith* (for ſo hee called him) *Hee opened unto her, what he had conferred with* Ballard, *and told her that ſix Gentlemen were ſelected to execute the tragicall murder: and that hee with a hundred other, would deliver her at the ſame time. Hee beſought her, that rewards might be propounded, and given unto the heroicall actors in this*

this buſineſſe, or to their poſterity, if they failed or died in the action. Unto theſe letters anſwer was made the 27 of Iuly, *the forward care of* Babington *toward the Catholike Religion, and her ſelfe,* " *is commended, but hee was adviſed to proceed in the buſineſſe warily, and that an Aſſociation might be made amongſt them, as though they feared the Puritans, and that no ſtirre ſhould bee made before they were certaine and aſſured of forraine helpe and forces, that ſome tumult might bee raiſed alſo in* Ireland *whileſt a blow or wound might be given in theſe parts,* Arundell *and his brethren, and* Northumberland, *might be drawne into their ſide,* Weſtmorland, Paget, *and ſome others ſecretly called home.* And the way alſo of delivering her is preſcribed, *either by overthrowing a Cart in the gate, or by burning the ſtables, or by intercepting her ſelfe when ſhee rode up and downe in the fields, for her recreation betweene* Chartley *and* Stafford. *Laſtly,* Babington *is commanded to give his word and promiſe for the rewards unto*

unto the six Gentlemen and the others.

Hee had already gotten unto himselfe some Gentlemen who were earnest Roman Catholikes, among the which the chiefest were *Edward Windsore*, brother to the Lord *Windsore* a mild young man, *Thomas Salisburie* of a worshipfull family in *Denbighshire*, *Charles Tilney* of an ancient worshipfull house, the only hope of his family, and one of the Gentlemen pensioners to the Queene, whom *Ballard* had lately reconciled unto the Roman Church, both of them very proper men, *Chidiocke Tichburne* of *Hamshire*, *Edward Abington* whose father was Cofferer to the Queene, *Robert Gage* out of *Surrey*, *Iohn Traverse*, and *Iohn Charnocke* of *Lancashire*, *Iohn Iones* whose father had bin Taylor unto Queene *Mary*: the aforenamed *Savage*, *Barnwell*, of a worshipfull family in *Ireland*, and *Henry Dun*, a Clarke in the office of the first fruits and tenths, into this

this ſociety. *Pooly* alſo inſinuated himſelfe, a man perfectly inſtructed in the affaires of the Queene of *Scotland*, a notable and cunning diſſembler, who is thought to have diſcovered all their purpoſes and counſels unto *Walſingham* day by day, and to have urged theſe young men, ready enough to doe evill headlong, by ſuggeſting and putting worſe things into their heads; though *Navus*, Secretary to the Qneene of *Scotland*, had ſecretly adviſed them to take heed of him.

Unto theſe men *Babington* communicated the matter, but not all things unto every one: hee ſheweth his letters and thoſe of the Queene of *Scotland* unto *Ballard*, *Tichburne*, and *Dun*; hee moveth *Tilney* and *Tichburne*, to diſpatch the Queene. At the firſt they deny to contaminate and embrue their hands in their Princes bloud, *Ballard* and *Babington* tels them that it is lawfull to kill Princes who bee ex-

com-

communicated, and if one offend, it is to be done for the good of the Catholike Religion. Herewith they with much adoe perſwaded, doe conſent, *Abington*, *Barnwell*, *Charnock*, and *Savage*, readily and voluntarily ſweare to doe it. *Salisburie* could not be perſwaded by any meanes to kill her, but for the delivery of the Queene of *Scotland*, he offered himſelfe voluntarily unto *Savage* and the others; *Babington* deſigned *Tichenor*, of whoſe fidelity and valour hee had a great opinion, but hee was gone to travell. *Babington* charged them not to impart the matter unto any, before they had ſworne them to be ſecret. The Conſpirators conferre ſometimes of this matter in *Pauls* Church, in Saint *Giles* fields, and in the Tavernes, in the which they kept many feaſts: puffed up with the hope of great honours, now and then extolling the valour of the Nobilitie of *Scotland*, who had lately intercepted the King of *Scotland* at

at *Sterling*, and *Gerard* the *Burgonian* who had killed the Prince of *Orange*. And they proceeded to that fooliſh vanity, that they cauſed them who were deſigned and appointed to kil the Queene to be painted in tables to the life, and *Babington* in the midſt of them with this verſe:

Hi mihi ſunt Comites quos ipſa pericula ducunt.

But for that this verſe (as too plaine) did not ſo well like them, they tooke it away, and in the ſtead thereof they put this:

Quorſum hæc, alio properantibus?

It is reported that theſe tables were intercepted and ſecretly ſhewne unto the Queene, who knew none of them by the countenance but *Barnwell*, who had oftentimes come unto her about the cauſes of the Earle of *Kildare*, unto whom he belonged; but by other tokens which ſhe was told ſhe knew the man. Truly one time walking forth for her recreation, ſhe eſpied

Barn-

Barnwell, and looked earnestly on him without feare, and turning unto *Hatton* Captaine of her Guard, and others, said, Am not I well attended and guarded, that have not in my company so much as one man that weareth a sword ? These words *Barnwell* himselfe told after to the conspirators, and shewed them how easily she might then have beene dispatched if the conspirators had beene there ; and *Savage* affirmed the same.

Now nothing troubled the minde of *Babington* more, than lest he should be deceived of the forraine forces : Therefore to make that sure and certaine, hee determined to goe over himselfe into *France*, and to send before *Ballard* over secretly for that purpose : for whom he had got a licence under a counterfeit name by a bribe he had given, and that he might cleere himselfe from all suspicion, by the before named *Poole*, he insinuated himselfe unto *Walsingham*, and

with great earneſtneſſe ſued unto him to obtaine of the Queene for him a licenſe to goe into *France*, promiſing to doe good ſervice in ſearching and diſcovering the moſt ſecret plots of the fugitives, for the Queene of *Scotland*. He commended the purpoſe of the young man, and promiſed him not only a licence, but many and great matters if he performed it: Yet he delaied from time to time the matter (which they thought that not ſo much as the Sunne had knowne) having gotten it ont by the cunning wit of his owne, and of others, but eſpecially by the intelligence of *Gilbert Giffard* a Prieſt.

This man borne at *Chellington* in *Staffordſhire*, not far from *Chartley*, where the Queene of *Scotland* was kept, and ſent about this time by the fugitives into *England*, under the counterfeit name of *Luſon*, to remember *Savage* of his oath he had taken, and to lye hid to ſend the letters to and fro between them

and

and the Queene of *Scotland*: when they could draw neither the Counteſſe of *Arundell*, nor the Lord *Lumley*, nor *Henry Howard*, nor *George Sherley*, into ſo dangerous a buſineſſe.

The fugitives, to try whether the conveying of letters by *Giffard* was ſafe, firſt ſent Blanks made up like packets, which when they underſtood by anſwers to be delivered, they being more confident, ſent alſo others in ziffres of their affaires, now and then. But *Giffard*, whether tormented in conſcience, or corrupted by bribes, or terrified with feare, came ſecretly unto *Walſingham*, and told him who he was, and for what purpoſe he was ſent into *England*, and offered all his ſervice out of his love towards his Countrey and Prince, and promiſed to communicate unto him all the letters he received, either from the fugitives or from the Queene of *Scotland*. *Walſingham* embracing the occaſion offe-

red, uſed the man courteouſly, ſent him into *Staffordſhire*, and wrote unto *Powlet* that he ſhould ſuffer ſome of his ſervants to be corrupted by *Gifford* and to winck thereat. He as unwilling (as hee ſaid) that any of his ſervants ſhould be made a Traitor in a diſſembling manner, yet as loth, hee ſuffered him to corrupt the Brewer, or the man that kept the provender, who dwelt hard by: *Giffard* quickly corrupted the Brewer for a few Angels of gold, who by a hole in the wall, into the which a ſtone was put ſo that it might be taken out, ſecretly ſent in and received back letters, which by poſts appointed came to the hands of *Walſingham*, who unſealed and wrote them out: and by the rare skill of *Thomas Philips* he found out the ziffres, and ſo ſealed them againe by the skill of *Arthur Gregory*, that none could judge them to have beene unſealed, and ſo ſent them unto thoſe men unto whom they

they were directed. So were those former of the Queene of *Scotland* unto *Babington*, and the answers of him unto her, and others unto him (in the which was craftily added a postscript in the same character, bidding him to send the names of the six Gentlemen (if not the other) and also the letters sent the same day unto *Mendoza* the King of *Spaines* Embassador, unto *Charles Paget*, the Lord *Paget*, the Arch-Bishop of *Glasco*, and to *Fra. Inglesield*, every one of which were copyed out, and afterward conveyed as they were directed.

Queene ELIZABETH, as soone as shee understood by these letters, that such a terrible storme hung over her head, on the one side from her subjects at home, and on the other side from forraine enemies, commanded *Ballard* to be apprehended, thereby to suppresse the conspiracie betimes. So on a sudden hee was taken in the house of *Babington*, in the very in-

ſtant when he was ready to goe upon his journey into *France*. Hereat *Babington* was wonderfully perplexed, and was in a thouſand mindes, and went to *Tichburne*, and asked his advice, what was to be done: his counſell was, that the conſpirators ſhould ſcatter and fly ſundry wayes, but his owne was, ſecretly to ſend *Savage* and *Charnock*, and that ſpeedily to diſpatch the Queene, yet that they might come with more facility unto her, to provide ſome richer and more courtlike ſutes for *Savage*, and of this matter he talked with them in *Pauls* Church: but by and by changing his minde, and concealing his inward cares ſtinging his heart, he urged *Walſingham*, being then abſent and at the Court, that his licence to travell into *France* might be now at length granted; and withall intreated him, to let *Ballard* free, whom he ſhould have great occaſion to uſe in that negotiation. *Walſingham* delayed

delayed and held him on with faire promises from day to day, and as concerning *Ballard*, and taking of him, he layeth it upon *Young*, that cunning hunter out of Romanists, and as it were in friendship secretly advised him to take heed of such fellowes, and easily perswadeth the young man to lye all night in his house in *London*, untill the Queene signed his passe-port and he himselfe returned to *London*, that they might talke of such important affaires with more secrecy, and lest the fugitives when he came to *France*, should gather any manner of suspicion, out of his often going to and fro thither.

In the meane time *Scudamore*, one of *Walsinghams* men was commanded to watch him very diligently, and to accompany him in every place, under the colour that he might be the safer from the Pursevants. Hitherto had *Walsingham* contrived and wrought the businesse, the other Councellors

of the Queene being ignorant thereof; and would have proceeded further and lengthened it, but the Queene would not, *leſt*, as ſhe ſaid, *in not taking heed of a danger when ſhe might, ſhe ſhould ſeeme more to tempt God than to hope in him.* Therefore out of the Court from *Walſingham* a ſcroll was ſent unto his man, to watch *Babington* with more care: This being not ſealed, was ſo delivered, that *Babiagton* ſitting next to him at the Table, read it alſo. Hereupon being guilty in conſcience, and ſuſpecting that all things were diſcovered, the next night when he, *Scudamore*, and one or two more of *Walſinghams* men had in the Tavern ſupped with good cheere, he (as if he would have paid the reckoning) aroſe, leaving behind him his ſword and cloake, and got to *Weſtminſter* by the darkneſſe of the night, where *Gage* changed clothes with him, who forth-with put on *Charnocks* clothes, and together got

got closely into S. *Johns* wood neere unto the Citie, unto which place came also *Barnwell* and *Dun*. In the meane time they were proclaimed Traytors thorow all *England*. They lurking in woods and by-wayes, when they had in vaine requested money of the French Embassidor, and horses of *Tichburne*, they cut off *Babingtons* haire, and disfigured his face with the greene shels of walnuts, but being compelled by famine, went to the *Bellamies* house neere to *Harrow on the Hill*, who were much addicted to the Roman religion: there they were hidden and relieved with victuals in the barnes, and apparelled in husbandmens apparell, and being found after ten dayes, were brought to *London*, the citizens witnessing their publike joy, with ringing of bels, making of bonfires in the streets, and singing of Psalmes, so much that the citizens received great commendations and thanks of the

Queene for the ſame.

The other conſpirators were ſoone after taken, moſt of them neere unto the Citie, *Salisbury* in *Cheſhire*, his horſe being thruſt thorow with a halbard, and *Traverſe* with him, after they had ſwomme over the river of *Wever*; and in *Wales* was taken *Iones*, who being acquainted with the intended invaſion, had alſo hidden them in his houſe, after he knew they were proclaimed traytors, and had moreover furniſhed *Salisbury* in his flight with a horſe, and his man (who was a Prieſt) with a cloake he lent him. Onely *Windſore* was not found. Many dayes were ſpent in the examination of theſe men, who in their confeſſions appeached one another, concealing nothing that was true.

All this time the Queene of *Scotland* and her ſervants were ſo narrowly kept and watched by *Powlet*, that theſe things were kept from her knowledge, though publikely

likely knowne in all *England*. As soone as these men were taken, *Tho. Gorge* was sent, who in few words should certifie her of these things, which hee purposely did unto her, nothing dreaming thereof, even as she had taken horse to goe on hunting; neither was she suffered to returne, but under shew of honour, lead about to Gentlemens houses that dwelt thereabouts. In the meane time *I. Maner*, *Ed. Aston*, *Rich. Bagot*, and *William Waad*, by commission from the Queene, kept *Navus* and *Curlus* her Secretaries and other servants severally, that they should have no communication with themselves nor with the Queene. And breaking open the doores of her closet, sent all her cabinets and deskes wherein her papers were layd, sealed up with their seales unto the Court. Then *Powlet* so commanded, seazed on all the money, lest she should corrupt any body with bribes, and gave his word

word to restore it. The caskets and deskes being searched before Queene ELIZABETH, there were found the letters of many strangers, the copies also of letters unto many, about 60. kinds of Ciphers, and also the letters of many noblemen of *England*, offering their love and service, which yet Queene ELIZABETH dissembled in silence: but they smelling it out, did afterward all they could against her, that so they might not seeme to have favoured her.

Now *Gifford* having served their purpose in this manner, was sent into *France* as a man banished, leaving first with the *French* Embassador in *England* a paper indented with this charge, not to deliver any letters from the Queene of *Scotland*, or from the fugitives, and came to his hands unto no other man but him that brought the counterpaine thereof, which hee secretly sent to *Walsingham*. Being returned into *France*, after some moneths

moneths he was cast into prison for his wicked life, and suspected of these things dyed wretchedly, confessing most of these things to be true, which were also found to be true out of the papers in the desks.

On the XIII. day of September, seven of the conspirators were brought to the barre and arraigned, and acknowledged themselues guilty, and had judgement of treason. On the next day the other seven were brought to the barre, and pleaded not guilty unto their inditement, and put themselves to be tried by God and the countrey, who were proved guilty by their owne confessions, and were likewise condemned. *Pooly* only, though he was privy to all, for that he affirmed that he had told some things unto *Walsingham*, was not at all arraigned. On the XX. day of the same moneth, the first seven were on a paire of gallowes set upon a scaffold in Saint *Giles* his field, where they had used to meet, hanged, and cut downe, and their

their privities cut off, bowelled and quartered as they were even alive, not without the note of cruelty, that is to say, *Ballard* the contriver of the wickednesse, asking pardon of God and the Queene, with this condition, if he had offended her. *Babington* (who without feare beheld the execution of *Ballard*, whiles the other turning their faces away, and on their knees were earnest at their prayers, ingenuously acknowledged his fault, and being let downe from the gallowes, sundry times plainly cryed out in the Latine tongue, *Parce mihi Domine Jesu. Savage* (the rope breaking) fell from the gallowes, and was strait pulled away, and his privy members cut off, and bowelled alive. *Barnwell* extenuated the fault with the pretext of Religion and conscience. *Tichburne* humbly acknowledging his wickednesse, moved all the multitude to compassion, and so likewise did *Tilney*, being

being a very proper man, and modeſt in behaviour. *Abington* being of a turbulent ſpirit and nature, caſting out threats and terrors, of the bloud that was ere long to bee ſhed in *England*. On the next day, the other ſeven were drawne unto the ſame place, but uſed with more mercy by the Queenes commandement, who hated the former cruelty; for every one of them hung till they were quite dead, before they were cut downe and bowelled. *Salisbury* the firſt, was very penitent, and adviſed the Catholikes not to attempt the Reſtitution of Religion by force or armes, and the ſame did *Dun* who was the next. *Ames* proteſting that he had diſſwaded *Salisbury* from this enterpriſe, and that he utterly condemned and diſliked the haughty and raſh ſpirit of *Babington*, and the purpoſe of invaſion. *Charnock* and *Traverſe* fixed wholly to their prayers, commended themſelves to God and the Saints. *Gage* extolling the bountifull

full liberality of the Queene toward his father, and deteſting his owne treacherous ingratitude toward a Princeſſe ſo well deſerving. *Hieron Bellamy*, who had hidden *Babington* after he was proclaimed traytor (whoſe brother privy to the ſame offence had ſtrangled himſelfe in priſon) aſhamed and ſilent was the laſt of this company.

Theſe men being executed, *Nevus* the Frenchman, and *Curlus* the *Scot*, who were Secretaries to the Queene of *Scotland*, being examined about the letters, copies of letters, and little notes and Ciphers found in the Queenes cloſet, of their owne will acknowledged by their ſubſcriptions, that the hand-writings were their owne, endited by her in *French*, taken by *Nevus*, and turned into *Engliſh* by *Curlus*: Neither did they deny that ſhe received letters from *Babington*, and that they wrote back by her commandement in ſuch a ſenſe as is aforeſaid. Yet this is certaine

certaine out of letters, that when *Curlus* did at this time aske *Walsingham* for what he promised, that *Walsingham* did reprove him, as one forgetfull of an extraordinary grace, as that he had not confessed any thing but that he could not deny, when *Naus* charged him therewithall to his face.

The Councellors of *England* could not agree what should bee done with the Queene of *Scotland*: some thought good that no severity was to be used against her, but to be kept very close, as well for that she was not the beginner of this plot, but onely made acquainted with it; and also for that she was sickly, and not like to live long. Others for the security of Religion would have her dispatched out of the way, and that by the course of Law. *Leycester* had rather have it done by poyson, and secretly sent a Divine to *Walsingham*, to shew him that this was lawfull: but *Walsingham* protested that he was so farre

farre from allowing that any violence ſhould be uſed, that long agoe he croſſed and broke the advice of *Morton*, who had perſwaded to ſend her into *Scotland*, that ſhee might be killed in the very borders of both the kingdomes. They were moreover of different opinions, by what law or Act they ſhould proceed againſt her, whether out of that of the XXV. yeare of *Edward* the third (in which *he is a traytor who deviſeth to kill the King or the Queene, or moveth warre in the Kingdome, or doth adhere vnto his enemies*;) Or whether by that Law or Act of the XXVII. yeare of Queene ELIZABETH, which is ſet downe before: At length their opinion prevailed, who would have it by this latter law, as made for this purpoſe, and therefore to be accommodated thereunto: therefore out of that law enacted the former yeare, that enquiry might be made, and ſentence pronounced againſt them who

who raised rebellion, invaded the kingdome, or attempted to hurt the Queene, many of the Privy Counsell and Noblemen of *England* were chosen Commissioners by letters Patents, which was this after the Lawyers forme and stile.

ELIZABETH *by the grace of God, of* England, France, *and* Ireland, *Queene: Defender of the faith, &c. To the most Reverend Father in Christ* Iohn *Arch-Bishop of* Canterbury, *Primate and Metropolitane of all* England, *and one of our Privy Counsell; And to our beloved and trusty* Thomas Bromley *Knight, Chancellor of* England, *and another of our Privy Counsell, And also to our well-beloved and trusty* William *Lord* Burghley, *Lord Treasurer of* England, *another of our Privy Councell, And also to our most deare cousin* William *Marquesse of* Winchester, *one of the Lords of the Parlament, And to our most deare cousin* Edward *Earle of* Oxford, *great Chamberlaine of* England, *another of the*

the Lords of the Parlament, And also to our most deare cousin George Earle of Shrewsbury, Earle Marshall of England, another of our Privy Councell, and to our most deare cousin Henry Earle of Kent, another of the Lords of the Parlament, And also to our most deare cousin Henry Earle of Darby, another of our Privy Councell, And to our most deare cousin William Earle of Worcester, another of the Lords of the Parlament, And to our most deare cousin Edward Earle of Rutland, another of the Lords of the Parlament, And to our most deare cousin Ambrose Earle of Warwick, Master of our Ordnance, another of our Privy Councell, and to our most deare cousin Henry Earle of Pembrooke, another of the Lords of the Parlament, And also to our most deare cousin Robert Earle of Leicester Master of our horse, another of our Privy Councell, And to our most deare cousin Henry Earle of Lincolne, another of the Lords of the Parlament, And also to our most deare cousin Antony Vicount Montague, another of the

the Lords of the Parlament, And to our welbeloved and trusty, Charles *Lord* Howard *our great Admirall of* England, *another of our Privy Counsell, And to our welbeloved and faithfull* Henry *Lord* Hunsdon *our Lord Chamberlaine, another of our Privy Councell, And also to our welbeloved and trusty* Henry *Lord of* Aburgevenny *another of the Lords of the Parlament, And to our welbeloved and trusty* Edward *Lord* Zouch, *another of the Lords of the Parlament, And also to our welbeloved and trusty* Edward *Lord* Morley, *another of the Lords of the Parlament, And also to our welbeloved and trusty* William *Lord* Cobham *Lord Warden of our five Ports, another of our Privy Councell, And also to our welbeloved and trusty* Edward *Lord* Stafford, *another of the Lords of the Parlament, And also to our welbeloved and trusty* Arthur *Lord* Grey *of* Wilton, *another of the Lords of the Parlament, And also to our welbeloved and trusty* Iohn *Lord* Lumley, *another of the Lords of the*

the Parlament, And alſo to our welbeloved and truſty Iohn *Lord* Sturton, *another of the Lords of the Parlament, And to our welbeloved and truſty* William *Lord* Sandes, *another of the Lords of the Parlament, And alſo to our welbeloved and truſty* Henry *Lord* Wentworth, *another of the Lords of the Parlament, To our welbeloved and truſty* Lewis *Lord* Mordant, *another of the Lords of the Parlament, And to our welbeloved and truſty* Iohn *Lord* S^t. Iohn *of* Bletſo, *another of the Lords of the Parlament, And alſo to our welbeloved and truſty* Thomas *Lord* Buckhurſt, *another of our Privy Councell, And to our welbeloved and truſty* Henry *Lord* Compton, *another of the Lords of the Parlament, And alſo to our welbeloved and truſty* Henry *Lord* Cheney, *another of the Lords of the Parlament, To our welbeloved and truſty* Francis Knolles *Knight, Treaſurer of our houſhold, another of our Privy Councell, And alſo to our welbeloved and truſty* Iames Crofts *Knight, Controller of our ſaid houſhold,*

another

another of our Privy Councell : To our beloved and trusty Christopher Hatton *Knight, our vice-Chamberlaine, another of our Privy Councell ; And also to our trusty and welbeloved* Francis Walsingham *Knight, one of our chiefe Secretaries, another of our Privy Councell, And also unto our trusty and welbeloved,* William Davison *Esquire, another of our principall Secretaries, of our Privy Councell, And to our trusty and welbeloved* Ralph Sadleir *Knight Chancellor of our Duchy of* Lancaster, *another of our Privy Councell, And also to our trusty and welbeloved,* Walter Mildmay *Knight, Chancellor of our Exchequer, another of our Privy Councell, And to our trusty and beloved,* Amyas Powlet *Knight, Captaine of the Ile of* Jersey, *another of our Privy Councell, And to our trusty and welbeloved* Iohn Wolley *Esquire, our Secretary for the Latine tongue, another of our Privy Councell, And also to our trusty and welbeloved* Chistopher Wray *Knight, chiefe Iustice of the Kings Bench, And to our trusty and welbeloved*

welbeloved Edmund Anderſon *K. Chiefe Iuſtice of the Common Bench,* Roger Manwood *Knight, Chiefe Baron of our Exchequer,* Thomas Gawdy *Knight, one of our Iuſtices of the Kings Bench, And* William Peryam *one of the Iuſtices of our Bench, Greeting: &c.* And not to ſet it downe verbatim: After the recapitulation of the act made the laſt yeare, theſe words follow: *When after the end of the Seſſion of Parlament,* viz. *after the firſt day of Iune, in the* XXVII. *yeare of our reigne, divers things have beene compaſſed and deviſed tending to the hurt of our Royall Perſon, as well by* Mary *daughter and heire of* Iames *the fift, lately King of* Scotland, *and commonly called Queene of* Scotland *and Dowager of* France, *pretending title unto the Crowne of this Realme of* England, *as by divers other perſons, with the privity of the ſame* Mary, *as it is given us to underſtand: and for that we intend and determine, that the ſaid Act ſhould be executed rightly and effectually in all things, and by all things, according*

according to the tenour of the said Act; and that all the offences aforesaid, in the aforesaid Act, as it is said, mentioned, and the circumstances of the same should be examined, and sentence and judgement thereupon given, according to the tenor and effect of the said Act: Wee give *unto you, and to the greater part of you, full and ample power, faculty, and authority, according to the tenour of the said Act, to examine all and singular things compassed and devised, tending to the hurt of our Royall Person, with the privity of the said* Mary, *and all the circumstances of the same, and all the aforesaid offences whatsoever mentioned in the said Act, as it is said, and all circumstances of the same offences, and of every one of them: And moreover according to the tenour of the said Act to give sentence and judgement, even as the matter shall appeare unto you upon good proofe; And therefore we command you to proceed diligently upon the aforesaid things in the forme aforesaid, at certaine dayes and places, which you or the greater part of you shall appoint, and*

provide for this purpoſe, &c.

The moſt of theſe came to *Fodringhay* Caſtle in *Northamptonſhire*, on the xi. day of October, where the Queene of *Scotland* was then kept. On the next day the Commiſſioners ſent unto her, Sir *Walter Mildmay*, Sir *Amyas Powlet*, and *Edward Barker*, a publike Notary, who delivered into her hands the letters of Queene ELIZABETH, which when ſhe had read over, ſhe with a Princely countenance and quiet minde ſaid: *I am much aggrieved that the Queene my moſt deare ſiſter is wrong informed of me, and that I, who have ſo ſtraitly beene kept ſo many yeeres, and being now lame, after I have offered ſo many equall and faire conditions for my liberty, have laine ſo long time neglected: Although I have fully forewarned her of many dangers, yet I was not beleeved, but was alwayes deſpiſed, although I am moſt neere to her in blood. When the Aſſociation was made, and when it was confirmed in the Parliament, I foreſaw that whatſoever dan-*

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ger befell, either by forraine Princes abroad, or any harebraine fellowes at home, or for the cause of Religion, I should pay deare for the same, I having so many deadly enemies at the Court. I may take it in evill part, and I have cause for it, that a league was made with my sonne, without my privity or knowledge, but such like things I pretermit. But to come unto these letters; It seemeth strange unto me that the Queene commandeth me, as if I were her subject, to come unto a tryall: I am an absolute Queene, neither will I doe or commit any thing, which may empaire or woug the Royall Majesty of Kings and Princes, of my place and ranke, or my sonne; My minde is not so dejected neither will I yeeld and sink downe under calamity, I referre my selfe unto those things which I protested before Bromly *and the Lord* De la Ware. *The lawes and statutes of* England *are to me utterly unknowne, I am destitute of councellors, I tell you plaine I know not who may be my Peeres: my papers and notes of remembrances are ta-*

ken from me, there is none that dare plead or ſpeake in my cauſe. I am free from all offence againſt the Queene, neither am I to be called in queſtion, but upon mine owne word or writing, which can never be brought againſt me; But yet I cannot deny but that I have commended my ſelfe and my cauſe to forraine Princes.

On the next day returned unto her in the name of the Commiſſioners, *Powlet* and *Barker*, who ſhewed this anſwer put into writing, and they asked her if ſhe perſiſted in the ſame; After ſhe had heard it diſtinctly read, ſhe commended it as truly and rightly conceived, and ſaid ſhe would perſiſt in the ſame: *But*, ſaid ſhe, *I did not remember one thing which I wiſh may be put in: Where as the Queene hath written I am ſubject and liable unto the lawes of* England, *and am to be judged by them, becauſe I lived under the protection of them:* I anſwer, *That I came into* England *to aske and crave aid and helpe from which time I have beene kept and detained in priſon, and could not*

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enjoy the protection and benefit of the lawes of England, *and hitherto I could not understand by any body what the lawes of* England *were.*

In the afternoone many chosen out of the Commissioners, with men skilfull in the Canon and Civill lawes, came unto her: but the Chancellor and the Treasurer declared their authority out of the letters patents, and shewed her that neither captivity, nor the prerogative of Royall Majesty could exempt her from answering in this kingdome; and mildly hee admonished her to heare the objections made against her: if not, they threatned they both might and would proceed against her by the authority of the law. She answered, *That she was not a subject, and had rather die a thousand times, than acknowledge her selfe a subject: since that by acknowledging it, shee should doe prejudice and wrong unto the highnesse of the Majesty of Kings, and withall should confesse her selfe to be bound unto all the lawes of*

England, *even in matters of Religion. Nevertheleſſe ſhee was ready to anſwer unto all things in a full and free Parlament, ſince that ſhee is ignorant if onely for a faſhion and a ſhew, this aſſembly was appointed againſt her already condemned with their fore-judgments; therefore ſhe cloſely admoniſheth them to looke unto their conſciences, and to remember that the Theater of the whole world was farre more ſpacious, than the kingdome of* England. Laſtly, ſhee began to complaine of the injuries done unto her, and the Treaſurer to rehearſe the benefits of Queene ELIZABETH beſtowed upon her, *viz.* that ſhee had puniſhed many who did impugne the right ſhee challenged unto *England*, and had hindred that ſhe was not condemned by the Eſtates of the Realme, for the purſuing the mariage with the Duke of *Norfolke*, the rebellion in the North, and other things: which things when ſhee ſeemed to make ſlight of, they went away.

After

After a few houres, by *Powlet* and the Solicitor they shewed the heads of the letters Patents, and the names of the Commissioners, that shee might see that they were to deale formally and in good fashion, uprightly, and not according to the quirkes of law, and extraordinarily. Shee made no exception against the Commissioners, but a bitter one against the new or late Act upon which all the authority of the Commissioners depended, that is, to wit, that it was unjustly devised purposely against her, and that there was no example of the like proceeding, and that she would never submit her selfe to triall upon that Act. Shee asked by what law they would proceed against her: If by the Civill or Canon lawes, she said the expounderswere to be sent for to *Pavy* or *Poytiers*, and other outlandish Universities, since that fit men were not to bee found in *England*. Moreover shee added that it was evident by plaine words

in the letters, that ſhee was accounted guilty of the fault, although ſhee was not heard, and therefore ſhee had no reaſon to appeare before them, and ſhe required to bee ſatisfied of many ſcruples in theſe letters, which ſhe had noted, confuſedly and in haſte by her ſelfe alone, but ſhe would not deliver them in writing, for that it did not beſeeme a King or Prince to play the Scribe.

About this matter thoſe Commiſſioners ſelected came to her againe, unto whom ſhee ſignified that ſhee did not underſtand the meaning of theſe words, *Since ſhee is in the protection of the Queene.* The Chancellor anſwered, *This to bee apparant enough to any one of underſtanding, but yet it is not the duty of Subjects to expound what the Queene meant, neither were they made Commiſſioners for that cauſe.* Then ſhe requeſted that the proteſtation which ſhee had made in former times, to be ſhewed & to be allowed. It was anſwered, that it was never allowed, neither

that

that it was to be allowed now, for that it was a wrong to the Crowne of *England*. She asked by what authority they would proceed. It was answered, by the authority of the letters Patents, and the law of *England*. *But you*, said shee, *make lawes as you list, unto which, it is no reason why I should submit my selfe, since that the* Englishmen *in former times refused to submit themselves unto the* Salicke law of the Frenchmen. *But if they proceeded by the Law of* England, *they should bring a president for their doings, since that, that law for the most part consisted upon examples and customes. But if by the Canon Law, then no other men ought to expound the same, but the makers of them.* It was answered, that they would proceed neither by the Civill nor Canon lawes, but by the lawes of *England*: But yet that by the Civill and Canon lawes it might be shewed that shee ought to appeare before them, if shee did not refuse to heare this; neither did shee refuse to heare,

but as in way of communication, but not by way of Juſtice or triall.

Hereupon ſhe fell into other ſpeeches, *viz.* that ſhee never compaſſed or deviſed any thing to hurt or kill the Queene, that ſhee had beene offended at the wrongs and indignities done to her, that ſhee ſhould be a ſtumbling blocke, if ſhe were diſcourteouſly uſed; that ſhe did by *Navus* offer her labour and beſt meanes for the revocation of the *Popes Bull*; that ſhee would have defended her innocency by letters, neither was this permitted: And to conclude, that all her offices of good will for this twenty yeeres have beene rejected, with ſuch like ſmall digreſſions, her going on further they called backe, and bade her to ſay in plaine termes, whether ſhe would anſwer before the Commiſſioners; ſhee replied, *That this their authority was given to them by the new act made to inſnare her: That ſhe could not endure the Lawes of the*

Queene

Queene, which she upon good reason suspected: That shee having bin hitherto of good courage, would not now wrong her ancestors the Kings of Scotland, *by acknowledging that shee is a subject of the Crowne of* England, *for this is no other thing than openly to confesse them thereby to have beene Rebels and traitors. Yet that she refused not to answer, so she be not reduced unto the ranke of a subject: and that shee had rather die a thousand times, than to answer as a Criminall offender.*

Unto these speeches *Hatton* the Vice-Chamberlaine of the Queene said; *You are accused (but not condemned) to have conspired to kill our Lady and anointed Queene. You say you are a Queene. Bee it so. But the Royall estate of a Queene doth not exempt you from answering unto such a crime as this is, neither by the civill nor Canon law, nor by the law of Nations, nor by the law of Nature. For all Justice would be of no force, yea be utterly overthrowne, if faults of such nature should be committed without punishment. If you be innocent, you doe wrong to your credit*

credit by flying from triall. You proteſt your ſelfe to be innocent, but Queene ELIZABETH is of another minde, and not without cauſe, but truly to her great griefe: Therefore to examine your innocency, ſhee hath ſent with authoritie moſt honourable, moſt wiſe, and moſt upright men, who with equity and with favour, are to heare you, and they will rejoyce from their heart, if you cleare your ſelfe of this crime. Beleeve me, the Queene her ſelfe will be very glad, who ſaid to me at my departure, that there could not a thing have happened more grievous unto her, than that you are charged with this fault. Wherefore laying by the ſuperfluous privilege of a Royall Eſtate, which can be now of no uſe, make your appearance for a triall, ſhew your innoceney, leſt by ſearching of evaſions you draw upon your ſelfe ſuſpition, and purchaſe a perpetuall blemiſh of your reputation. I doe not refuſe, ſaid ſhee, to anſwer in a full Parlament, before the Eſtates of the Kingdome lawfully called, ſo that I may be declared next in ſucceſſion: Yea

and

and before the Queene and her Counsellors, so that my protestation may be admitted, and I may be acknowledged the next kinswoman of the Queene. In plaine termes I will not submit my selfe unto the judgment of mine adversaries, by whom I know all the defence I can make of mine innocency will not be allowed and received. The Chancellor asked her if she would answer, if her protestation were admitted: She answered, *I will never submit me to the new law mentioned in the letters Patents.* Hereupon the Treasurer replied, Yet we will proceed to morrow though you be absent, and continue obstinate in the cause. Shee said, *Search and examine your consciences, have regard to your honour, God will requite you and your heires for your judgement upon me.*

On the next day being the fourteenth day of October, she sent for some of the Commissioners, and requested that the protestation might bee admitted and allowed.

The

The Treasurer asked her whether she would come to triall, if the protestation were onely received and put into writing without allowance. At length she condescended, yet with an evill will, lest she (as she said) might seeme to derogate from her predecessors or successors, but that she was much desirous to cleare the crime objected, being perswaded by the reasons of *Hatton*, which she had better thought on.

Forthwith met and assembled in the Chamber of presence, the Commissioners that were present. There was a chaire of estate set under a Canopy in the upper part of the chamber, for the Queene of *England:* Against it lower and further off, neere unto the raile a Chaire for the Queene of *Scotland*, hard to the wals on both sides benches or formes, on the which on the one side sate the Chancellor of *England*, the Treasurer of *England*, the Earles of *Oxford*, *Kent*, *Darby*, *Worcester*, *Rutland*, *Cumberland*, *Warwicke*, *Penbroke*, *Lincolne*, and

and Vicount *Mountacute*; on the other side the Lords *Aburgevenny*, *Zouch*, *Morley*, *Stafford*, *Grey*, *Lumley*, *Sturton*, *Sandes*, *Wentworth*, *Mordant*, Saint *Iohn* of *Bletso*, *Compton*, *and Cheiney*: Next to them sate the Knights of the Privy Councell, as *Iames Croft*, *Christopher Hatton*, *Francis Walsingham*, *Ralph Sadleir*, *Walter Mildmay*, and *Amias Powlet*; Forward before the Earles sate the two chiefe Justices, and the chiefe Baron of the Exchequer; on the other side, two Barons and other Justices, *Dale* and *Ford*, Doctors of the Civill law; at a little table in the middle sate *Popham* the Queenes atturney, *Egerton* the Sollicitor, *Gaudie* the Queens Serjeant at law, the Clark of the Crowne, and two Clarkes.

When shee was come and had set her selfe in her seat, silence being made, *Bromley* the Chancellor turning to her, made a short speech to this purpose: *The most high and mighty Queene of* England *being certified*

fied to her great griefe and anguish of minde, that you have plotted both the destruction of her and of England, and also of Religion; according to the duty due unto God, her selfe, and people, in the which lest she should faile, and out of no malice of mine, hath appointed these Commissioners, who may heare what things are objected against you, and how you can cleare your selfe from the crimes laid against you, and shew your innocency: She arising up said, that shee came into England to seeke and request aid, which was promised her, nevertheless that she was detained in prison ever since that time. Shee protested, that shee was not subject to the Queene, but was a free and absolute Queene, neither was to be forced or compelled to be brought in or tried before the Commissioners or any other Iudge, for any cause whatsoever, but only God alone the Soveraigne Iudge of all, lest that she should doe wrong and injury unto her owne Royall Majesty, her sonne the King of Scotland, her successors, or any other absolute Princes: but now shee was

there

there in person to refell the crimes ob-jected against her. And she requested her friends or servants to witnesse these things. The Chancellor not acknowledging that helpe was promised, answered, *That this protestation was to no purpose, for that whosoever, of whatsoever ranke or estate he were in* England, *did offend against the lawes of* England, *may be made subject to the same, and may be examined and judged by the late new law. And that therefore that protestation made to the prejudice of the lawes, and of the Queene of* England, *was not to be admitted.* Yet the Commissioners commanded, as well her protestation, as the answer of the Chancellor to be recorded. Then the letters Patents, which as I have often said, were founded upon the Act of Parlament, being read aloud, shee with a great courage made a protestation against that Act, as made directly and purposely against her, and in this matter put it to their conscience: and when

when the Treasurer answered, that every man in this Realme was bound to the observation of the lawes, though never so lately made, and that she might not speake in disgrace of the lawes, and that the Commissioners would judge by vertue of that law, whatsoever protestations or appellations shee made: At length she said shee was ready and prepared to answer of any act whatsoever, done against the Queene of *England*.

Then *Gaudy* expounded and made plaine the Act in every point, and affirmed, that shee had offended against the same, and then hee made an Historicall Narration of *Babingtons* conspiracie, and concluded, that *shee knew of it, allowed it, promised helpe, and shewed the waies and the meanes.* She with an undanted courage answered, *that she knew not* Babington, *never received letters from him, nor never wrote unto him, never plotted the destruction of the Queene: And that to prove it effectu-*

fectually, the subscription under her owne hand was to be produced. She never heard so much as any man speake it: that shee knew not Ballard, *never maintained him, but that shee had heard that the Catholikes were much agrieved with many things, and that she certified the Queene therewith in her letters, and had earnestly desired her to have pitty of them: And that many, utterly to her unknown, had offered their service unto her; yet that she never moved any to any wickednesse: and that she being shut up in prison, could neither know, nor hinder the things which they attempted.*

Upon this, out of the confession of *Babington*, shee was urged that there passed an entercourse of letters betweene her and *Babington*. She acknowledged, that she had speech with many by letters, nevertheless it could not be gathered thereby, that shee knew of all their naughty practices: She requested, that a subscription with her owne hand might be produced, and shee asked, who could have harme by it, if

if ſhee had requeſted to have letters detained almoſt a whole yeare. Then the Copies of the letters of *Babington* unto her were read, in the which all the plot was deſcribed. She ſaid, *As concerning theſe letters, it may be that* Babington *might write, but let it be proved that I received them: if* Babington *or others have affirmed this, I ſay in plaine termes they lie. Other mens faults are not to be laid on my back. A packet of letters, which was detained almoſt a yeere, came about that time to my hands, but truly I know not by whom it was ſent to mee.*

To prove that ſhe had received *Babingtons* letters, there was read out of the confeſſion of *Babington* the heads of the letters which he had voluntarily confeſſed that ſhe had written back.

In like manner things taken out of the confeſſions of *Ballard* and *Savage* were read, who confeſſed that *Babington* had communicated unto them letters received from the Queene of *Scotland*. She affirmed, that *Babington had received none from*

her

her, yea rather that she had beene angry with them that secretly suggested, and gave counsell about the invading of England, *and warned them to beware and take heed.* Then were shewen the Letters, in the which the plot of *Babington* was commended and approved. She asked to have the copy of them, and affirmed *that they came not from her, but perhaps out of her Alphabet of Cyphers in* France, *that she hath laboured to get her liberty, which is a thing naturall to all men, and to have treated with her friends to use meanes to deliver her : Nevertheless unto many whom she was not disposed to name who offered their service, shee had not answered a word, but that she much desired to turne away the storme of persecution from the Catholikes, and that she intreated the Queene thereunto, that she would not get a kingdome with the blood of the meaneſt of all the Commons. That there are many who attempt things pernicious without her knowledge, and in some letters which shee hath received very lately, some had begged pardon of her, if they attempted any thing*

thing without her privity. That it was an easie matter to counterfeit the Characters and Cyphers, as a young man, who had boasted himselfe to be the bastard brother to her sonne, did very lately in France. That she also feared lest this was contrived by Walsingham, who (as she had heard it muttered) had plotted against the life of her and her Sonne. She protesteth that shee never thought to hurt or kill the Queene, but that she had rather more willingly bestow her life, than that the Catholikes should be afflicted so often, and lose their lives with such grievous torments for her sake, and in hatred of her.

But, said the Treasurer, none who was an obedient subject was put to death for Religion, but many were for Treason, maintaining the Popes authority and Bull against the Queene. But, said shee, I have heard otherwise, and I have read it also in printed bookes. The writers of such bookes, replied he, wrote also that the Queene was deprived of her Royall dignity.

Walsingham, who even now perceived

perceived himselfe nipped and touched, rose up, and protesting that his minde was not possessed with any evill will, said, *I call God to witnesse, that I, as a private man, have done nothing not beseeming an honest and upright man, neither for the publike person which I beare have done any thing which doth not belong unto my place. I confesse that I have beene carefull of the safety of the Queene and the Realme, and have curiously sought to finde the plots against her. If* Ballard *had offered me his service, I had not refused it, and had recompenced him for his travell and paine taken. If I have plotted any thing with him, why did he not tell it out, that he might have saved his life?* She said that she remained contented with this answer: she requested *him not to be angry, for that she so freely spoke what shee had heard, and that he would not beleeve more them that slandered her, than she did them that defamed him: That spies were men not to be trusted, for they dissemble one thing, and say another. That he would*

would by no meanes beleeve that she consented to hurt or kill the Queene. And then weeping amaine, said, *I will never cast away my soule in conspiring to kill my most deare sister.* The Lawyers made answer, that it would be soundly proved by testimonies presently. These things were done before noone.

In the afternoone, for the more substantiall proofe thereof, the copy of the letters which *Charles Paget* wrote, was brought forth and shewed, and *Curlus* one of her Secretaries, witnessed, that shee received, of the conference betweene *Mendoza* and *Ballard* about the counsell of invading *England*. She answered, *This is nothing to the matter, neither doth it prove that I consented to hurt or kill the Queene.* Moreover, the Lawyers went forward, to prove that she was privy of the conspiracie, and also conspired to kill the Queene, out of the confession of *Babington*, and the letters betweene her and *Babington*; in the which

which he had saluted and stiled her *his high and mighty Lady and Queene.* And by the way they rehearsed, that there was a Councell holden of assigning and conferring over the Kingdome of *England* unto the King of *Spaine*. She acknowledged, that a Priest came to her, and said, if shee did not stop it, that both she and her sonne should be excluded from their inheritance: but she would not tell the name of the Priest. And moreover, shee said, that the *Spaniard* challenged a right unto the Kingdome of *England*, and would not give place unto any, but unto her. Then they pressed her with the testimonies of *Navus* and *Curlus* her Secretaries, out of the confession of *Babington*, and the letters that passed betweene *Babington* and her; and all the credit of their proofes depended upon the testimony of them, and yet they were not brought forth face to face. She did acknowledge *Curlus* to be an honest man, but not a

ſufficient witneſſe againſt her. That *Navus*, ſometimes Secretary to the Cardinall of *Lorraine*, commended to her by the *French* King, might be eaſily induced either by bribes, or hope, or feare, to beare falſe witneſſe, as one, who ſundry times had made raſh oathes, and had *Curlus* ſo tractable and at his beck, that hee would write whatſoever hee bade. And it may be that they might put into the letters, ſuch things which ſhe had not indited, and alſo that ſuch letters came to their hands, which yet ſhe never ſaw. And broke out into ſuch or the like words : *The Majeſty and ſafety of Princes will be of ſmall authority, and be contemned, if they doe depend on the writings and teſtimony of their Secretaries. I did indite unto them nothing but that which nature hath taught mee ; that I might recover and get my liberty at laſt ; neither am I to be convinced, but out of mine owne words or writing. If they have written any thing that may be hurt and dam-*

mage

mage to my most deare sister, unwitting to mee, let them be punished for their inconsiderate boldnesse. I certainly know if they were here present, they would in this cause acquite me of this fault. And if I had my papers here, I could answer unto these things in particular.

Amongst those things, the Treasurer objected, that she had determined to send her sonne into *Spaine*, and to assigne over unto the *Spaniard*, the right that she challenged in the Kingdome of *England*. Unto whom shee answered, *That she had no Realme that she could give away, but yet it was lawfull to give away her owne things at her will and pleasure.* When the Alphabets of Cyphers conveyed unto *Babington*, the Lord *Lodovick*, and to the Lord of *Fernihurst*, were objected unto her out of the testimony of *Curlus*, shee denied not, *but that she had set downe more, and among the rest, that for the Lord* Lodovick, *at such time as shee commended him and ano-*

ther unto the dignity of a Cardinall, and as ſhee hoped without offence, foraſmuch that it was no leſſe lawfull for her to have commerce of letters, and treat of her affaires, with men of her Religion, than it was for the Queene, with the profeſſors of the other Religion: Then they preſſed her thicker, with the agreeing teſtimonies of *Navus* and *Curlus*, repeated againe, and ſhee alſo repeated her former anſwers; or elſe repulſed them with preciſe denials, proteſting againe, that ſhe neither knew *Babington* nor *Ballard*. Among theſe ſpeeches, when the Treaſurer put in his verdict, ſaying, that ſhee knew well *Morgan*, who ſecretly ſent *Parry* to kill the Queene, and had given him an annuall penſion, ſhe replied, *ſhee knew that* Morgan *had loſt for her cauſe all that he had, and therefore ſhee was bound in honour to releeve him, and that ſhee was not bound to revenge an injury done by a well deſerving friend unto the Queene, but yet that ſhee had terrified him from making any ſuch attempts.*

tempts. But yet pensions, said shee, *were given out of* England *unto* Patrick Grey, *and to the* Scots *that were mine enemies, as likewise to my sonne.* The Treasurer answered: *At such time as the revenues of the Kingdome of* Scotland *were much diminished and impaired by the negligence of the Viceroyes, the Queene gave some liberality unto the King your sonne, her most neere allied Cousin.* Afterward was shewed the contents of the Letters unto *Inglefield*, and to the Lord *Paget*, and unto *Bernardine de Mendoza*, concerning forraine aid. And when to those shee had made answer; *These things touch not, nor concerne the death of the Queene; and if so be that strangers desired and laboured to deliver her, it was not to be objected against her; and that shee had sundry times signified unto the Queene, that she would seeke for her liberty:* The matter was adjourned unto the next day.

On the next day she repeated againe her former protestation, and

requeſted that it might be recorded, and a copy thereof delivered unto her, lamenting *that the moſt reaſonable conditions which ſhe had propounded oftentimes unto the Queene, were alwayes rejected, yea when ſhe promiſed to give her ſonne, and the ſonne of the Duke of* Guiſe *for hoſtages, that the Queene, or the kingdome of* England *ſhould take no harme by her. That ſhe ſaw long ere now, that all wayes of liberty were ſtopped, but now that ſhee is moſt baſely uſed, to have her honour and eſtimation called into queſtion, before Petifoggers and Lawyers, who draw every circumſtance into conſequences by their quiddities and trickes, ſince that anointed and conſecrated Princes are not ſubject, nor under the ſame lawes that private men are. Moreover when they have authority and commiſſion given them of examining* Things tending to the hurt of the Queenes Perſon ; *yet notwithſtanding the cauſe is ſo handled and letters wreſted, that the Religion which ſhee profeſſeth, and the immunity and Ma-*

jeſty

jesty of forraine Princes, and the private commerces betweene Princes, are called into question, and she below her Royall dignity is brought to the barre, as it were to be arraigned, and to no other purpose, but that she may be wholly excluded from the favour of the Queene, and from her right in the Succession, when shee appeared voluntarily to confute all objections, lest shee might seeme to have beene slack in the defence of her honour and credit. Shee also called to their memory, *how* ELIZABETH *her selfe had beene drawne into question for the conspiracy of* Wyat, *when yet she was most innocent,* Religiously affirming, *that although shee wished the good and welfare of Catholikes, yet she would not have it to be done by the death and bloud of any one. That she had rather play the part of* Hester, *than of* Judith, *make intercession unto God for the people, rather than to take away the life of the meanest of the people.* And then appealing unto the Majesty of God, and unto the Princes that were allied un-

to her; and repeating againe her proteſtation, ſhe requeſted that there might be another aſſembly about this matter, and that ſhee might have a Lawyer aſſigned unto her, and that ſince ſhe was a Prince, that they would give credit *to the word of a Prince, for it was extreme folly to ſtand unto their judgement, whom ſhee moſt plainly ſaw to be armed with fore-judgements againſt her.*

Unto theſe ſpeeches the Treaſurer ſaid: *Since that I beare a two-fold perſon, the one of a Delegate or Commiſſioner, and the other of a Counſellor; Firſt, take of me a few things, as from a Commiſſioner: Your proteſtation is recorded, and the copie thereof ſhall be delivered unto you. Wee have authority given us under the Queenes owne hand, and the great Seale of* England, *from the which there is no appellation: neither come we with a fore-judgement, but to judge according to the rule and ſquare of Iuſtice. The Lawyers aime at no other thing, but that*

that the truth may appeare how farre forth you have offended against the Queenes person. We have full power given us to heare and examine the matter, yea in your absence; yet we desire to have you present, lest wee should seeme to diminish your honour or credit: neither have we thought to object unto you any thing, but that you have done or attempted against the Queenes person. The letters are read for no other purpose, but to lay open the practice against the Queene, and other things pertaining thereunto, and are so mingled with other things, that they cannot be separated. And therefore the whole letters, and not parcels taken out of sundry places of them, are read, for as much as circumstances doe give credit unto the things of which you dealt with Babington.

She interrupting him, said, *That the circumstances might be proved, but not the deed, that her integrity depended not upon the credit and memory of her Secretaries, though shee knew them honest: but yet if they have con-*

feſſed ſomething out of feare of the rack, hope of reward, and of impunitie, it is not to be admitted and received out of juſt cauſes, which ſhee may declare in another place; that the minds of men are carried away by ſundry kinds of affections, that they would never have confeſſed ſuch things, but either for gaine, or upon ſome hope: that letters may be directed unto others, than unto whom they are written, and that many things which ſhee had not dictated, had many times beene inſerted: if her papers had not beene taken away, and that ſhe had a Secretarie, ſhe could with more eaſe confute their objections.

But nothing (ſaid the Treaſurer) *ſhall be objected, but from the nine and twentieth day of* Iune, *neither will the papers doe any good, ſince the Secretaries and* Babington *himſelfe, without torture have affirmed you to have ſent letters unto* Babington; *which thing, although you deny, let the Commiſſioners judge, whether more credit is to be given unto their affirmation or your deniall. But to come to the matter. As a*

Counſellour

Counsellour I tell you this, you have made many propositions about your liberty at sundry times : that nothing came thereof, was long of you, or of the Scots, *and not of our Queene, for the Noble-men of* Scotland *absolutely denied to deliver the King for hostage. And when last of all there was a treaty for your delivery,* Parry *was sent secretly by* Morgan *to kill the Queene. Ah* (said shee) *you are my professed enemie : Yea rather* (replied he) *I am an enemy to the enemies of Queene* ELIZABETH : *but enough of these things ; Let us therefore proceed unto proofes : when shee denied to heare, Yet wee will heare* (said he) *and I also* (said she) *in another place, and will defend my selfe.*

Now were read againe the letters unto *Charles Paget*, in which shee told him, there was no other way for the *Spaniard* to bring the *Netherlands* into subjection, than by placing a Prince in *England* who might doe him good : the letters unto the Lord *Paget* to hasten aid and

and forces to invade *England*: the letters of Cardinall *Allan*, in which he saluted her as his *high and soveraigne Lady*, and signified that the businesse was commended unto the care of the Prince of *Parma*. As these were in reading, she interrupted them, saying: *That* Babington *and her Secretaries accuse her to excuse themselves; that shee never heard of the six Ruffians; that the other things were not to the matter; that she esteemed* Allan *to bee a reverend Prelate; that shee did acknowledge no other head of the Church, than the Pope of* Rome; *that shee was not ignorant in what regard and estimation shee was with him and with forraine Princes, nor could shee hinder it, if they in their letters called her Queene; that her Secretaries since they did against their office, faith, and fidelitie, confirmed by oath into her, deserved no credit; that there was no credit to be given to them that were once forsworne, though they swore againe by all the oathes of God; neither that they did thinke themselves tyed with*

with any oath whatsoever in conscience, since that they have sworne unto her before that loyaltie and secrecie, neither for that they were not subjects of England : *that* Navus *had written oftentimes otherwise than she had dictated, and that* Curlus *had written all whatsoever* Navus *had bidden, but that she would maintaine and uphold their faults in all things, but those that might blemish her honour. Perhaps also these fellowes did confesse to doe themselves a benefit, whilst they might thinke not to hurt her, with whom, as with a Queene, they thought mildnesse should be used ; that shee heard nothing of* Ballard, *but of one* Hallard, *who had offered his service, which yet she had refused, for that shee had heard that the same man had beene belonging to* Walsingham.

Afterward, when the notes out of the letters unto *Mendoza*, which *Curlus* had acknowledged that he wrote out in a private character, were read before her, and she was urged out of them, as if she had compassed

compassed to transferre the right in the Kingdom unto the *Spaniard*, and that *Allan* and *Parsons* staied now at *Rome* for that purpose and intent: She complaining that her servants had broken their fidelity confirmed by oath, answered: *When I being in prison, and languished with care, without hope of liberty, and there was not any more hope left of ever bringing to passe those things, which very many expected of me in my sickenesse and declining age. Many thought it fit that the Succession of the Realme of* England *should be established in the* Spaniard, *or in a Catholike* Englishman: *and a booke was brought to prove the right of the Spaniard; which being not admitted by mee, I offended many. But all my hope in* England *being now desperate, I am resolved not to reject forreine helpe.*

The Sollicitor admonished the Commissioners secretly what might become of them, their Honours, goods, and posterity, if the Kingdome should be so transferred: but the

the Treasurer shewed them that the Kingdome of *England* could not be transferred, but to descend by the right of succession according to the Lawes.

She requested that shee might be heard in a full and open Parlament, or that she her selfe might speake to the Queene (whom shee hoped would have respect unto a Queene) and the Councellors. And then rising from her seat with a cheerefull countenance, shee spake a few words aside with the Treasurer, *Hatton*, *Walsingham*, and the Earle of *Warwicke*; These things being done, the Assembly or meeting was adjourned unto the five and twentieth day of *October*, in the Starre-chamber at *Westminster*. Thus much of this matter out of the commentaries of *Edward Barker*, *principall Register to the Queenes Majesty*, *and of* Thomas Wheeler *a Notariæ publike*, *Register of the Audience of Canterburie*, and of other credible persons that were present. And in this

this manner the Queene thought good to have her tried, although the Lawyers, who are ſo curious in the examining of words, and following of formes, rather than in the expounding of the Lawes themſelves, that according to their forme of Law, ſhee was to be called to triall in the Countie of *Stafford*, and to be brought to hold up her hand at the barre publikely before the Bench, and to be tried by twelve men, ſaying this indeed was a ſweet and goodly forme of judgment againſt a Prince. But to avoid and put away ſuch abſurdities, ſhee thought it better to referre ſo great a cauſe unto the Noblemen of the Land, and Realme, and to the Judges; and this ſcarce ſufficeth, when as (ſaid ſhee) all mens eyes are caſt upon us Princes, as being ſet aloft as on a high ſcaffold, ſo that in us even the leaſt blemiſh or ſpot is ſeene afarre off, ſo that we are carefully to provide that wee doe nothing unworthy of our ſelves.

But

But to returne where I left: At that day met all the Commissioners (but the Earles of *Shrewsburie* and *Warwicke*, who were then sicke) and after that *Navus* and *Curlus* had affirmed and confirmed before them, that every and singular the letters and copies of letters, which were produced before, to be most true upon their oathes, *viva voce*, voluntarily without hope or reward, the sentence against the Queene of *Scotland* was pronounced and confirmed with the Seales and subscriptions of the Commissioners, and recorded in these words: *By their assent, consent and accord, they doe pronounce, give, and say their sentence and judgement, at the day and place last rehearsed, that after the end of the aforesaid Session of Parliament, specified in the aforesaid Commission,* viz. *after the aforesaid first day of* June, *in the 27 yeere aforesaid, and before the date of the said Commission, divers things were imagined and compassed within this Realme of* England, *by* An-

Anthony Babington *and others, with the priuitie of the ſaid* MARIE, *pretending title vnto the Crowne of this Realme of* England, *tending to the hurt, death and deſtruction of the Royall perſon of our ſaid Lady, the Queene. And to wit, that after the aforeſaid firſt day of* Iune, *in the ſeuen and twentieth yeere aboueſaid, and before the date of the aforeſaid Commiſſion, the ſaid* MARY *pretending title vnto the Crowne of this Realme of* England, *compaſſed and imagined within this Realm of* England *diuers things tending to the hurt, death, and deſtruction of the Royal perſon of our Lady the Queen, againſt the form of the Statute ſpecified in the aforeſaid Commiſſion.* Of this ſentence which depended wholly on the credit of the Secretaries, neither were they brought face to face, according to the firſt Statute of the 13 yeere of Queene ELIZABETH her ſelfe, was very much ſpeech and different amongſt men, ſome judging them unworthy of credit, and others againe thought them worthy

thy to be beleeved. I have seene the Apologie of *Navus* written unto King *Iames*, in the yeer 1605, in the which he doth laboriously excuse himselfe, in protesting that hee was neither the Author, nor perswader, nor first discoverer of that plot or device, neither that hee failed at all in his dutie through negligence or incircumspection, but rather that he stoutly did impugne the heads of the accusations against his Lady this day. Which thing yet doth not appeare by the publike records. But the same day it was declared by the Commissioners, and by the Judges of the Realme, *That that Sentence did derogate nothing from* IAMES *King of* Scotland *in his right or honour, but him to be in the same place, estate and right, as if that Sentence had not beene given at all.*

In a short time after there was a Parlament holden at *Westminster*, in the which the Estates of the Kingdome who had approved and confirmed by their voices the sentence

tence pronounced againſt the Queene of *Scotland*, by one conſent and accord delivered by the Chancellor unto the Queene a ſupplication, in which they moſt earneſtly beſought her, that for the conſervation of the true Religion, the tranquillity of the Realme, ſafety of the Queene, the good eſtate of them and of their poſterity, the ſentence given againſt MARY Queen of *Scotland* according to the Law might be publiſhed. They fetcht their reaſons from the dangers hanging over the heads of their Religion, her Royall Perſon, and Realme, by her who nurſed up in the Religion of the Papiſts, and ſworne one of the Holy League to root out the Religion of the Proteſtants, had challenged long the Realme as due to her, and had thought it a moſt juſt thing to oppugne a woman excommunicate, and meritorious to deprive her of her life. She had ſubverted and overthrowne the flouriſhing families of

of the Realme, and laid fewell unto all plots contrived and tumults in *England*. To ſpare her, was no other thing but to undoe the people, who will take it in evill part if ſhe be ſuffered to eſcape without puniſhment, and will not beleeve themſelves freed from the oath of the *Aſſociation*, except ſhe were put to death. Laſtly, they called to her remembrance what fearefull examples of Gods puniſhment there were againſt King *Saul* for that he killed not *Agag*, and upon *Achab*, for that he killed not *Benadad*. Thus ſaid the States of Parlament.

The Queene with a majeſticall countenance and voice anſwered "unto this effect: The benefits of "Almighty God are ſo great and "ſo many toward mee, that I doe "not only acknowledge them "moſt humbly, but doe admire "them as miracles, for as much as "I cannot expreſſe them in words. "Although there be no mortal man

" man more beholding to thé Ma-
" jeſty of God than I my ſelfe, ſo
" oft times delivered from dangers
" not without miracle; yet I am
" not indebted more than for this
" only thing, which I account as
" a miracle; that is to ſay, That
" as I received and tooke upon mee
" the government of the Realme
" with the full conſent and good
" will of all, ſo I ſee perfectly the
" ſame, if not your greater love
" and good will, toward me, after
" that XXVIII. yeeres be ex-
" pired; and if I ſhould faile therin
" now, and that it did not con-
" tinue ſtill, I might perchance be
" perceived to breathe, but ſurely
" not to live. But now although at-
" tempts be made againſt my life,
" nevertheleſſe nothing troubleth
" me more, than that ſhee who is
" of the ſame ſex, of the ſame ſtocke
" and linage, and alſo of my bloud
" and kindred, hath bin acceſſary
" to the ſame. And I am ſo farre
" off from being malicious toward
her,

her, as that when ſome plots againſt mee came to light, I wrote unto her, that if ſhe would confeſſe them in her private letters unto mee, they ſhould bee wrapped up in ſilence. Neither did I write thus with this mind, to inſnare her, for that whatſoever ſhe could confeſſe, was knowne to me. Yet nevertheleſſe though things are come to this paſſe that they are, if ſhee would truly repent, and that none would undertake her cauſe againſt mee, and that hereupon my life only, and not the ſafety of all the people did depend (I would not have you thinke I faine) I would truly moſt willingly forgive her: yea if *England* by my death might flouriſh more, and have a better Prince, I would moſt readily lay downe my life; for I doe deſire not to live, but for the good of the people, and not of my ſelfe. Neither is there any cauſe, having li-

" lived in that manner as I have,
" why I ſhould deſire to live, or
" feare to die. I am not ignorant
" of all kinde of lifes, for I have o-
" beyed, and I have governed; I
" have had good neighbours, and
" alſo evill; I have found treache-
" rie where I truſted: I have e-
" vill beſtowed benefits, and I have
" beene evill reported of when I
" have done well. When I call theſe
" things paſt to minde, ſee and be-
" hold the things preſent, and ex-
" pect future things, I thinke them
" moſt happie who die ſoone: a-
" gainſt ſuch evils as theſe I put on
" a manly minde, that whatſoever
" befall unto me, death may not
" take and finde me unprovided.
" As concerning theſe treaſons, I
" will not ſo prejudicate my ſelfe,
" or the lawes of my Kingdome,
" that I doe not thinke, but that
" ſhee the author and contriver of
" this treaſon is a ſubject, and lia-
" ble by the ancient lawes, al-
" though this new law had never
beene

"beene made; the which nevertheleſſe was not enacted directly "to entrap her, as many folkes that "favour her doe ſuſpect and imagine. It was ſo farre off from being made to inſnare her, that it "was rather done to premoniſh "and deterre her from attempting "any thing againſt it. And ſince "that it hath the force of a law, it "was thought meet to proceed againſt her by the ſame. But you "Lawyers be ſo curious & preciſe "in examining the words and letters of the law, and following "your formalities, rather than in "the expounding the lawes themſelves, that by your formes ſhee "was (as is ſaid before) within "the Countie of *Stafford* in perſon to be arraigned, ſtanding at "the barre, and holding up her "hand, and to bee tried by the "verdict of twelve men. Aſſuredly "it were a goodly forme of judgement upon a Prince. To avoid "ſuch like abſurdities, I thought

" it moſt fit to referre ſo great a
" cauſe to be examined by the No-
" bilitie and Judges; and this is
" ſcarce ſufficient, for that the
" eyes of all men are fixed on us
" that are Princes, ſtanding aloft
" (as it were) on a Theater or
" Stage, and in us the leaſt blemiſh
" is ſeene, be it never ſo farre off:
" ſo that wee are very carefull ro
" provide and beware that wee
" commit and doe nothing unwor-
" thy of our ſelves. But you by this
" new law have brought mee into
" a very great ſtrait, that I ſhould
" ſet downe the determination for
" the puniſhment of her, who is a
" Princeſſe moſt neere to mee in
" bloud, and whoſe attempts and
" plots have ſo grieved my heart,
" that not to increaſe it by hearing
" the ſame rehearſed, I willingly ab-
" ſented my ſelfe from this aſſembly
" of Parlament, and not for feare of
" ſome lying in wait to kill mee, as
" ſome imagine: yet I will utter
" this ſecret (though I be no blab)

"I saw with these eyes, and read "the oath wherein some have "bound themselves to kill mee "within a moneth space. From "hence I foresee your danger, and "I will take a great care to refell "the same.

"Your Association for my safe-"ty I have not forgotten, yet I ne-"ver so much as thought of such a "thing before rhe same was shew-"ed mee under their hands and "seales. The same hath tied mee "unto you in strong bonds of good "will for your love unto me, who "seeke for no other solace and "comforts than from the love of "you, and of the common-wealth. "But forasmuch as the matter "which is now treated of, is sel-"dome seene, and for that there be "few examples thereof, and is a "matter of very great moment, I "intreat you not to expect that I "should make an answer and set "down my certaine determination, "for it is my use and custome even

" in ſmaller matters, to be adviſed
" a good ſpace in things which are
" but once to be determined. I will
" deſire earneſtly Almighty God to
" power the ſhining beames of his
" light into my minde, that I may
" perfectly ſee and behold what
" may be beſt for the good and pro-
" fit of the Church, the Common-
" wealth, and your ſafety. Yet leſt
" delay may bring danger, I will
" in convenient time ſignifie unto
" you what my minde is.

And ſo the twelfth day after, when ſhee had conſidered more adviſedly on the matter, ſhee, as it were, in her doubtfull minde diſtracted, and not able to reſolve what to doe, requeſted them (ſending the Chancellor unto the Nobilitie, and *Puckering* unto them of the Lower houſe) more diligently to adviſe and conſult of ſo weighty a matter againe, and to deviſe ſome more wholſome remedy, whereby the life of the Queene of *Scotland* might be ſpared, and her ſe-

securitie procured.

When they had deliberated and consulted much, and a long time, and had judged both the good and the evill of the Prince to concerne all men, they fall againe to the same opinion with one voyce, and for these causes: *For that the Queene could not be in safety, as long as the Queene of* Scotland *lived, except she repented seriously, and acknowledged her crimes, or else was tyed and kept in a strayter prison, and with deeds of writing under her hand, or by oath, or should give hostages, or depart out of the Realme. They hoped for no repentance in her, since that shee had evill requited the Queene, who had given her life unto her, and had not yet acknowledged her crimes. They held and accounted straiter custody, writings under her hand, oath and hostages as nothing, for as much as these things vanished in smoake, presently as soone as the Queene was dead or made away; but if shee departed out of the Realme, they feared shee would forth-with ad-*

vance her Standards to invade the Kingdome. When the Chancellor, and *Puckering*, Speaker of the Lower houſe, had declared theſe things at large, urging to have the ſentence put in execution, *For as much as it was injuſtice to deny the execution of law, if it were to any one of her ſubjects that deſired it, much more to all the* Engliſhmen *effiagitating it ſo much with one voyce and one heart.* Unto whom the Queene made a Speech in this manner.

"That journey is very grievous "by the which both whileſt it is "going, and when it is ended, no- "thing is gotten but trouble and "vexation. I am very much trou- "bled and vexed this very day, "as much as at any time, whether "I ſhould ſpeake or hold my "tongue: If I ſhall ſpeake and not "complaine, ſurely I ſhall faine; "If I hold my tongue, your la- "bour is loſt; but if I complaine, "it may ſeeme ſtrange: yet I con- "feſſe, I have much wiſhed that for

"for your security, and withall
"for my safety, some other way
"might have beene devised, than
"that which is now propounded.
"So that I cannot but complaine
"before you, though not of you,
"since that I understand by your
"petitions, that my safety de-
"pendeth wholly on the death of
"another. If any thinke that I
"have prolonged the time, to
"procure vaine-gloriously the
"commendation of clemencie,
"they doe me much wrong, which
"thing God who searcheth the
"secrets of all mens hearts, know-
"eth best. If there be any that
"thinke that the Commissioners
"durst not pronounce any other
"sentence, lest they should seeme
"to displease me, or to have beene
"careless of my safety, they
"wrong mee exceedingly ; for
"either my servants failed in do-
"ing their duty, or else they sig-
"nified on my behalfe unto the
"Commissioners that my will was

cc and that I commanded that every
cc one ſhould doe freely according
cc as they thought in their mindes,
cc and that they ſhould privatly
cc impart unto mee thoſe things
cc which they would not utter
cc publikely. It was out of my a-
cc bundant good will toward her,
cc to deſire to have another courſe
cc or meanes deviſed for this miſ-
cc chiefe. But now ſince it is moſt
cc certaine, that I and my ſafety
cc are in a deplorable eſtate, ex-
cc cept ſhee be rid and made away,
cc I am ſorry at my heart, that I
cc who have pardoned and given
cc life to ſo many Rebels, and have
cc neglected ſo many Treaſons, by
cc conniving or holding my peace,
cc may ſeeme now at the length to
cc uſe crueltie and ſeverity toward
cc ſo great a Prince. Since the
cc time I came unto the Crowne,
cc I have ſeene many Libels ſcatte-
cc red abroad againſt me, as againſt a
cc Tyrant: God ſend the writers of
cc them good luck. I beleeve that
they

"they would say some new things,
"and truly it seemeth strange to
"mee, to be noted for a Tyrant, I
"wish it were as strange to heare
"of their impiety.

"What will not they publish in
"their writings, when they shall
"heare that I have consented, that
"the hang-man shall embrue his
"hands in the bloud of my next
"Cousin? I am so farre from
"crueltie, that to conserve my
"life, I would not use any vio-
"lence against her, neither have
"I beene so carefull to lengthen
"out mine owne life, as I have
"laboured to conserve the life of
"us both, and I am immeasurably
"sorry that now it cannot be
"done. I am not so voyd of wit,
"but that I see the dangers that be
"neere me, nor of that peevish
"folly, to whet and sharpen the
"sword wherewith to have my
"throat cut, nor of that careless
"sloth, that I will not stirre to
"save mine owne life. But I ima-

"gine this thing with my ſelfe,
"that there be many who will put
"their lives in danger to ſave the
"life of their Prince, of whoſe
"number yet I doe not profeſſe
"my ſelfe to be. Theſe things I
"have conſidered in my minde.
"But ſince that many have written
"and ſpoken bitterly againſt mee,
"let it be lawfull for me to make
"an Apologie for my ſelfe, that
"you may ſee for the ſafety of
"what woman you have taken ſo
"much paine. As I doe make a
"thankfull remembrance of your
"vigilancie and watchfulneſſe;
"ſo I cannot, nor ſhall not give
"you equall thanks, if I had as
"many lives left as every one of
"you have.

"Aſſoone as I tooke the Crown
"on me, not forgetting God the
"giver thereof, I began my
"Reigne with his worſhip and
"Religion, in the which I was
"brought up, and in which, as
"I hope, I ſhall dye: though I be

not

cc not ignorant what dangers en-
cc vironed me at home for the alte-
cc ration of Religion, and what
cc potent Kings of the other pro-
cc fession abroad, shewed them-
cc selves my enemies; yet neverthe-
cc lesse I was not moved: for I
cc knew that God, whom I chiefly
cc respected, would defend me and
cc my cause. Upon this proceeded
cc and grew so many plots and
cc conspiracies against mee, that
cc I might have wondered how I
cc should escape, if God had not
cc holpen me beyond my hope.
cc Then that I might make greater
cc progresse in the art of Govern-
cc ment, I studied much and long
cc what things were the fit parts
cc for a King, and I found out by
cc search, that it was very necessa-
cc ry that they should be furnished
cc with those Cardinall vertues,
cc *Iustice*, *Temperance*, *Prudence*,
cc and *Fortitude*.

cc My sex doth not permit me to
cc arrogate unto my selfe these two
latter,

" latter, which belong properly
" unto men, but of the former and
" the milder vertues (as I may
" call them) I dare ſay this with-
" out vantery, I have kept the
" higheſt and loweſt in awe alike,
" I have raiſed no man whom I
" have not thought worthy, I
" have not beene credulous of be-
" leefe in hearing tales, I have not
" corrupted Judgement with a
" fore-judgement, without hearing
" the cauſe ; yet I cannot ſay, but
" that many things may be told me
" as truth, upon the too much
" partiality of the parties, *For a*
" *good and wary Prince is often ſold*,
" for that he cannot heare all
" things himſelfe : But this I can
" averre and avow for truth, Ac-
" cording to my capacity, I have
" alwayes made Judgement ſub-
" ject unto Truth. As there was
" one who admoniſhed his friend
" to make no anſwer unto a que-
" ſtion, before he recited the
" Alphabet ; ſo I did never de-
termine

" termine any thing rashly and in
" haste.
" Therefore, as concerning
" your consultations and advices,
" I acknowledge them to be stu-
" died, provident and whole-
" some for my better conservation,
" and to grow and proceed from
" your hearts, both sincere and
" most devoted unto me, so that
" it is my part to strive with all
" my power, not to seeme, or to
" be ingrate unto them that de-
" serve so well at my hands. And
" as concerning your Petition, I
" beseech and request you that
" you will be content with an an-
" swer without an answer. I ap-
" prove your judgement, I con-
" ceive your reasons, yet I pray
" you excuse the doubtfull care of
" studying and considering in this
" businesse which tormenteth me.
" Take in good part my most
" thankfull minde unto you, and
" also this answer, if you thinke
" it an answer. If I shall say that

"I will not doe that which you "requeſt, perhaps I ſhall ſay that "which I doe not thinke: but if "I ſhall ſay I will doe it, I ſhall "precipitate my ſelfe, whom you "wiſh to be conſerved, into ut-"ter deſtruction: which thing "I aſſuredly know in your wiſe-"dome you would not, if you "conſider thorowly the places, "the times, and the manners of "men. After theſe things done, "the Aſſembly of the Eſtates of "Parliament was prorogued.

About the ſame time the Lord *Buckhurſt* and *Beale* are ſent to the Queene of *Scotland* to ſignifie the ſentence given againſt her, and that the ſame as moſt juſt was approved and confirmed by the authoritie of Parlament, and that the States did very much urge the ſame in reaſon of *Juſtice*, *Securitie*, *and Neceſſitie*; and therefore ſhould perſwade her that acknowledging her ſinnes againſt God and the Queene, ſhe might by this repen-

tance

tance before her death, purge and cleanse her from her sinnes ; insinuating, that as long as she lived the Religion received in *England* could not stand firme. Hereupon she with an unwonted alacrity and cheerefulnesse seemed to triumph, giving thanks to God, and rejoycing to her selfe, that she was accounted an instrument for the reestablishment of Religion in this Island : And vehemently besought them that she might have a Catholike Priest to direct her conscience and administer the Sacraments : and utterly rejected the Bishop and Deane, whom they commended as fit men for that purpose, and gave the English nation a bitter taunt, in saying oftentimes, *that the Englishmen had used cruelty toward their Kings in killing them now and then, so that now it was not strange if also they exercised tyrannie on me borne and come also of their blood.*

L'aubespineus the French Embassador stopped and stayed a little the

the publication of the judgement; but ſome Courtiers diligently labouring in it, in the moneth of December it was publikely proclaimed thorow the City of *London*, the Maior, the Aldermen, and principall Citizens being preſent, and afterward thorow all the Realme. In the preface the Queene did in earneſt manner proteſt that this Proclamation was wrung out and extorted from her, not without great anxiety of mind, by great neceſſitie, and the moſt vehement obteſtations of the Eſtates of the Realme, though there were ſome who thought this to be ſpoken by a womans policie, who deſire to ſeeme alwayes to doe that which they doe by coaction, though they deſire it never ſo much.

The divulging of this direfull and dolefull Proclamation being told unto the Queene of *Scotland*, ſhee was ſo farre off from being dejected, that rather with a reſolved and ſtayed countenance ſhe gave thanks

thanks unto God, with lifting up her hands unto heaven. And although *Powlet* her Keeper deprived her of all dignity and respect, and she was no more accounted of but as a meane woman of the baseſt ranke, yet she endured it with a moſt quiet minde. But having gotten leave of him with too much adoe, by letters unto Queene ELIZABETH dated the nineteenth day of December, *ſhee declareth her ſelfe free from all malice and hatefull minde againſt her, giveth thankes unto God for that ſentence of death, who would have the end of her ſorrowfull life to come. She intreateth her that ſhee may be obliged and beholden unto her only, and not unto others, for theſe benefits that follow, ſince that ſhe could expect and looke for no good from the hot-minded Puritans, who carried all away in* England. *Firſt, that when her enemies were glutted and ſatiſfied with the ſhedding of her innocent bloud, that her body may be carried by her ſervants to be buried in ſome hallowed*

lowed ground, especially into France, where her mother resteth in peace; since that violence hath beene offered unto the ashes of her forefathers and ancestors in Scotland, and the Churches either pulled downe or prophaned; neither could she hope for a buriall with Catholike rites in England, amongst the ancient Kings the ancestors to both of them: so that at last her body may rest, which conjoyned to her soule did never rest nor had quiet. The second was (forasmuch as shee feared the secret villanie of many men) that she might not be put to death secretly: without the knowledge of Queene ELIZABETH, but in the presence of her servants and others, who might beare true witnesse of her faith toward Christ, her obedience to the Church, and the end of her life, against the false rumours which her adversaries might spread and devise. The third was, that her servants might freely and peaceably depart, and might goe whither they would, and enjoy the legacies shee had bequeathed unto them in her Testament. These things

things she requested very earnestly in the name of Iesus Christ, by the soule & memory of HENRY *the seventh, progenitor to them both, by the royall honour that she had borne.* Then she complained, *that all royall furniture was violently taken away by the commandement of some of her Counsellors, and foreboded that their malice would breake out unto greater matters.* And addeth, *if they had shewen the letters and papers taken away, without fraud and sincerely, that it would have plainly appeared, that there was no other cause of her death, than the too scrupulous care of some men of the security of Queene* ELIZABETH. *Lastly, she earnestly desired her to write a few words with her owne hand concerning these matters.* But whether these letters came ever to the hands of Queene ELIZABETH, I cannot say.

But sundry men talked in sundry manners according to their sundry wits, of this matter; not to speake of the Clergy men of both sides, who are for the most part vehement

vehement in their opinions.

There were ſome plaine and indifferent weighers of matters, who thought they dealt very rigorouſly with her, for that ſhe was a free and abſolute Princeſſe, above whom none had any authority but God alone, for that ſhe was ſo very neere of kinne unto Queene ELIZABETH, who alſo had promiſed very liberally in the word of a Prince, unto her driven out of her Realme, as ſoone as ſhe was arrived in *England*, by *Henry Middlemore*, all humanitie, courteſie, and rights of hoſpitalitie; and yet on the other ſide had deteined her in priſon, and had violated the ſacred bonds of friendly familiaritie. That ſhe could be in no other eſtate than of one taken in the war, and that all the meanes of getting ſafety and libertie is lawfull to them that be taken in the warre. That ſhe could not offend in the caſe of treaſon, in that ſhe was no ſubject, and the like hath no power

power over the like; and that thereupon the judgement of the Emperour againſt *Robert* King of *Sicilie* was voyd and of none effect, for that he was not ſubject unto the Empire. That the Embaſſadors of Princes, if they ſhall conſpire againſt the King unto whom they are ſent Embaſſadours, are not touched as Traytors, much leſſe the Princes themſelves. And that the Affect is not to be puniſhed, except the Effect follow. And it was never heard that a Prince was put to death by the hand of an executioner. Moreover, that ſhe was condemned againſt the Law of God, the Civill Law of the *Romans*, and the Lawes of *England*; yea, againſt the firſt Statute of the Parlament in the XIII. yeere of Queene ELIZABETH her ſelfe, in the which it was enacted, *that none ſhould be arraigned for conſpiring againſt the Queenes life, but by the teſtimonie and oath of two lawfull witneſſes, to be brought forth face to face againſt*

againſt the partie arraigned : and in this judgement no witneſſe was produced, but ſhee was oppreſſed and caſt by the teſtimony of her Secretaries, who were abſent. Men alſo diſputed of both parts of the credit of ſervants, men in priſon, and the teſtimony of them of ones houſhold. And that word of the Emperour *Hadrian* was commended, *Credit is to be given unto witneſſes, and not unto teſtimonies.* Theſe men alſo to themſelves, or their aſſured friends, complained, that buſie fellowes were ſuborned, who by diſſimulation, counterfeit letters, and contrived devices, had cunningly deceived a woman eaſie to be wronged, and greedy of liberty, ſpied out and prevented her purpoſes, and had drawne her into the worſer, which ſhe had never thought on, if ſhe had beene kept with fitting care, and ſuch like ſecret and craftie plotters ſent on purpoſe : That it is an ordinary thing for Courtiers in all ages, to urge

urge and drive them that be hated, even againſt their will, into the crime of Treaſon, and craftily to breed trouble unto unwary Innocence that is once impriſoned.

There were others who thought ſhee was not a free and abſolute, but only a Titulary Queene, becauſe ſhee had made a Seſſion, and paſſed away her Kingdome to her ſonne, and had ſubmitted her ſelfe unto the protection of the Queene of *England*, when ſhee came firſt into *England*, and as by well doing ſhe had and enjoyed the benefit of the Lawes; ſo in doing evill, ſhe might be ſubject unto the equity of the ſame lawes, according unto that ſaying of the Lawyers, *Hee that offendeth againſt the Law, deſerveth not the benefit of the Law.* Otherwiſe, the condition of a Forraine Prince, offending in the Realme of another Prince, ſhould be better than the condition of a King reigning well. They alſo thought her to be a Subject, although

though not *Originary*, yet *Temporary*, for that two abſolute Kings, (as concerning Royall authoritie) cannot be at one time in one Kingdome. That this is a received and ruled opinion of the Lawyers, *The King out of his Territory* (except it be in a voyage of warre) *is a private man, and therefore can neither beſtow nor exerciſe any Regalities.* Moreover, that ſhe hath loſt by her fault abſolute Government, and that ſubjects even in *their habitation or houſe* may commit treaſon. And as for kindred, there is no Alliance neerer unto any one, than their Countrey, that is to be unto us another God, and our prime and deareſt Parent. And as for the promiſes of humanitie and courteous entertainment promiſed, that they be not privileges to commit wicked facts afterwards without puniſhment. That promiſes are to be underſtood, *Things remaining in the ſame ſtate, and not changed.* He that hath committed a fault, deſerveth

ſerveth not to enjoy the ſecuritie promiſed: And indeed that the law and right of a gueſt entertained are holy, but that the right of our Country is more ſacred: Princes doe never binde their owne hands, and that all are bound and obliged more ſtrongly unto their Countrey, than to their owne promiſe.

And if ſhe were to be dealt withall as with one taken in the war, they objected, I know not out of what Author, *Thoſe captives are only to be ſpared, from whom we doe not feare any vexation or trouble, and not any others.* That the equall hath power upon the equall, as often as hee doth ſubmit himſelfe unto the judgement of his equall, either expreſſedly in words, or covertly in contractation, or in offending within the juriſdiction of his equall. That the *Pope* did adnull and abrogate the ſentence of the Emperour againſt *Robert* King of *Sicilia*, for that the fact was not committed in the Territorie of the Emperour, but in the Dominion of the *Pope*. That Am-

baſſadours, becauſe of the neceſſity of Ambaſſades, are favoured and allowed to be inviolate by the law of Nations, but not Kings practiſing in the Dominions of another King. Furthermore, that in treaſon the affect without the effect is to be puniſhed. And that to plot to kill the Prince, yea to know it, and to conceale the plot, is accounted treaſon. That many Kings have beene condemned and put to death, namely *Rheſcuporis* King of *Thracia*, by *Tyberius*; *Lycinius*, and *Maximianus*, by *Conſtantine* the Great; *Bernard* King of *Italy*, *Conradinus* King of *Sicily*, &c. Moreover, which may ſtand in ſtead of all, That the ſafety of the people is the chiefeſt law, and that no law is more ſacred than the ſafety and welfare of the Common-wealth. That God himſelfe hath enacted this law, that all things that were for the good, profit, and benefit of the Common-wealth, ſhould be accounted lawfull and juſt. Moreover, that Secretaries were not to

bee reckoned amongſt bond-men, and that the teſtimonie of ones houſhold is to bee received about thoſe things which were done ſecretly at home. But it was argued more narrowly, whether accuſers voluntarily ſworne, and acceſſary in criminall matters are to be produced face to face, to defend and prove their accuſation. Laſtly, it was granted that there is no great example extant, which hath not ſome iniquitie therein. Theſe and ſuch like were debated and argued to and fro in every mans mouth.

In the meane time the King of *Scotland*, ſo great was his pietie unto his mother, laboured all that poſſibly he could by *William Keith*, neither did hee omit any thing fit for a good and pious ſonne, and a moſt prudent King, but with no ſucceſſe at all, foraſmuch as the *Scots* were torne in pieces with factions amongſt themſelves, & more favoured Queene ELIZABETH than the captive Queene, inſo-

much that many of them did privily ſolicite Queene ELIZABETH by their letters, to haſten her puniſhment, and the *Scottiſh* Miniſters being commanded by the King to commend the ſafety of his mother unto God, in their prayers, in all their Churches; ſuch was the hatred unto the Religion ſhee profeſſed, that they obſtinately refuſed ſo to doe: yet hee, as he had before with often meſſengers, and almoſt continuall letters, made requeſt unto the Queene. Now he plied her exceedingly, with more often and moſt vehement meſſages and letters: In which hee complained, *That it was moſt unjuſt and unfit for the Nobility, Comcellors, and Subjects of* England, *to give ſentence upon a Queene of* Scotland, *and ſhe borne of the Royall blood of* England, *and a thing no leſſe unjuſt even but to thinke that the Parlamentarie Eſtates of* England, *by their authority, had power to exclude the true and certaine Heires of their right of ſucceſſion and lawfull inheritance* (which many

many men now and then threatned to feare him.)

Hee sent also *Patrike Gray*, and *Robert Melvin*, who signified to the Queene, *That hee, for the great love and familiaritie betweene them, cannot beleeve, but she would conserve her famous renowme, shee had acquired in every place by her vertues, but especially by her clemency, unspotted without all staine of cruelty, and would not by any meanes defile and pollute the same with the bloud of his mother, who was of the same Royall condition, of the same bloud, and of the same sex, and the which hee (forasmuch as the blood of the mother did possesse in him a great reverence) could not leave unto the tyranny of them, who for a long time since have thirsted for the destruction of him, as well as for his mothers destruction now.*

In other letters, after hee had at large discoursed, how hee was grieved and tormented in minde, and distracted, concerning so great a matter that touched and bound him both in respect of nature and honour, and into what danger and

losse of credit he was cast, if any violence was used unto his mother, he out of his inward griefe and filiall affection propounded unto Queene ELIZABETH, whereupon shee might study attentively, *How much it concerneth his Honour, who is both a King and her Sonne, if his most deare mother, and the same also an absolute Prince, should be put to an infamous death by her, who is most neerely joyned by the bands of blood and league. Whether by the law of God any thing may be done justly by forme of Law unto them, whom Almightie God hath appointed the soveraigne Ministers of Justice, whom hee hath called* Gods on the earth, *whom hee hath annointed, and being annointed, forbade to bee touched, will hee suffer them to be violated without punishment? How prodigious a thing it is to subject an absolute Prince unto the judgement of Subjects; yea how monstrous a thing it were, than an absolute Prince should give first this pernicious example, to prophane their owne and other Princes Diadems? Moreover what should urge*

her

her unto this severitie, Honour *or* Profit? *If* Honour, *she might acquire more honour by sparing her, for so with the eternall praise of clemency, she might binde him and all the Princes of Christendome with a benefit, whom otherwise she could not but alienate, with losse of her good report, and marke of cruelty. But if* Utility *moved her, she was to consider whether any thing can be profitable, but that which is just and honest. And ended beseeching her, that his Ambassadors might bring backe such an answer, that may be most worthy of a most pitifull Queene, and not unworthy of the King and her most loving Cousin.* But when as the Ambassadors out of season mingled threats amongst their requests, they were lesse acceptable, and sent away within few daies with very small hope.

Pomponius Bellicurus, who was sent by the *French* King for the same cause, when he was come unto the Queene, having in his company *L'aubespineus* of *Castro Novo*, the ordinary Ambassador, and had in few words signified how

the *French* King was diſtracted on this ſide, for his ſingular love toward her, and on that ſide, for the ſtrait familiarity and affinity betweene him and the Queen of *Scotland*, he propounded in writing theſe things and the like, once or twice.

The moſt Chriſtian King of France, *and all other Kings are intereſſated, that a Queene, and free and abſolute Princeſſe be not put to death.*

The ſafety of the Queene may be more endangered by the death, than by the life of MARY: *that ſhee being delivered out of priſon, can attempt nothing againſt the Queene, for that ſhee was ſickly, and could not live long.*

That ſhee challenged and claimed the Kingdome of England, *was not to be laid to her charge as a fault, but was to be aſcribed to the tenderneſſe of her age, and her naughtie counſellors.*

That ſhee came into England *to intreat helpe and favour, and therefore the leſſe juſtly detained, and that now at length ſhe was to be let looſe upon ſome ran-*

ransome agreed upon, or else to have mercy used to her. Moreover, that an absolute Prince is not to be called in question of his life, insomuch that Cicero *said,* It is so unusuall for a King to be arraigned, that it is a thing never heard before this time.

If shee be innocent, then shee is not to be put to death; if faultie, to be spared, for this would prove more to her honour and utilitie, and it should be the eternall example of the clemencie of England. *To this intent the history of* Porsenna *was rehearsed, who pulled the hand of* Mutius Scevola, *who had conspired to kill him, out of the flames of fire, and dismissed him.*

That the first precept of reigning well, is to spare bloud, that bloud calleth for bloud, that it cannot be otherwise thought but to be cruell and bloudy to use tyranny toward her.

That the French *King will doe all his labour, and use all diligence, that the attempts and endevours of all that plot any thing against the Queene, may be repressed and stopped: And that the* Guises, *the kinsmen of the Queene of*

Scotland, *would ſweare the ſame, and confirme it with their hands and ſeales, who, if ſhee be put to death, will take it in very evill part, and perhaps will not ſuffer it to be unrevenged.*

Laſtly they requeſted that ſhe ſhould not be uſed according to that rigorous and extraordinary judgement, if not, that the French King *could not but take it in very evill part, and be much offended, howſoever all other Princes may take it.*

Unto theſe writings anſwer was made in the margin unto every article thus:

That the Queene of England *doth hope that the moſt Chriſtian King of* France *will have no leſſe regard and reſpect unto her, than unto the* Scottiſh *Queene, who plotted to kill an innocent Prince, her next Couſin, and the Kings confederate. And that it is behovefull unto Kings and Commonwealths, that miſchievous actions (ſpecially againſt Princes) be not left unpuniſhed.*

That the Engliſhmen, who acknowledge

ledge only Queene ELIZABETH *to bee Supreme Governour in* England, *cannot at once acknowledge two Soveraignes, free and absolute Princesses in* England: *neither that any other whomsoever, whilest shee lived, was to be taken as equall with her. Neither could they see how the* Scottish *Queene and her sonne that now reigneth can bee accounted at one time Soveraigne and absolute Princes.*

Whether that the Queenes safety may be exposed unto greater dangers, if shee be put to death, dependeth upon contingencie and uncertainty hereafter; that the Estates of England, *who have studied seriously on this point, thinke otherwise, to wit, that there will never want occasions of plotting mischiefes during her life, especially for that matters are now come to that passe, that there is no hope left for the other, except the other be extinguished or taken away; and this sentence may come often to mind,* Either Her, or shee mee. *The shorter her life is, with the more speed the conspirators for this cause will accelerate and hasten the execution of her plots.*

That

That ſhee would not hitherto renounce and give over the right ſhe claimeth and challengeth unto the Realm of England, *and that for that cauſe ſhee hath beene moſt rightfully detained in priſon, and is ſtill to be detained (although ſhee came for ſuccour and help into* England) *untill ſhee have renounced and given over the ſame: And that ſhee ought to ſuſtaine puniſhment for the faults ſhe hath committed in priſon, for what cauſe ſoever ſhee was put into priſon.*

That the Queen alſo hath pardoned her moſt mercifully, when ſhee was condemned by the conſent of all the Eſtates for the Rebellion raiſed in the North, to make the marriage betweene her and the Duke of Norfolke, *and to ſpare her againe were a fond & cruel kind of mercy. That none are ignorant of that ſaying of the Lawyers:* An offender in the territory of another, and there found, is puniſhed in the place where the fault is committed, without any regard or reſpect of dignity, honour, or privilege. *And that the ſame is evident as well by the lawes of* England, *as alſo by the examples of* Licinius, Robert

King

King of Sicilie, Bernard *King of* Italy, Conradinus, *of* Elizabeth *Queene of* Hungary, *of* Joan *Queen of Naples, and of* Dejotarus, *for whom* Cicero *pleading, said it was not unjust* for the King to bee arraigned, though it were unusuall. *For the words goe thus;* Quod primùm dico de capite fortunisque Regis: Quod ipsum etsi non iniquum est, in tuo duntaxat periculo, tamen est ita inusitatũ, &c.

That shee, who hath beene found guiltie by a lawfull judgement, is to be put unto execution, for as much as that which is just is honest, and that which is honest is also profitable.

That the History of Porsenna *did not agree unto this matter proposed, except one should think that there is a long train of them who seeke to hurt the Queen, and could perswade her to dismisse her without any hurt, out of feare, and some little respect of honour, but no regard of her owne safety: as* Porsenna *sent* Mutius *away, when hee had avowed that there were other three hundred who had conspired to kil him. Moreover that* Mutius *ventured upon* Porsenna *in a war*

pro-

proclaimed, and by the sending of Mutius away, he perswaded and assured himselfe, that he had escaped all danger.

Bloud is to be spared, that is, the innocent. God commanded this: It is true, that the voice of bloud crieth for bloud, and that France, before the massacre of Paris, and afterward, can witnesse this.

That a punishment justly inflicted, cannot be thought to be bloudy, no more than a medicine, prepared and made as it ought, fitly for the sickenesse, can be accounted violent.

Howsoever the Guises, cousins unto the Scottish Queene, take it, the Queene hath more occasion, and it concernes her more, to respect and regard rather the safety and good of her Nobility and people of whose love she wholly dependeth, than the displeasure of any other whosoever, and that matters were now come unto that passe, that that old proverbe of the two Princes, Conradino the Sicilian, and Charles of Anjou, may be used and truly said of the two Queenes, THE DEATH OF MARIE, THE

LIFE

LIFE OF ELIZABETH, AND THE LIFE OF MARIE, DEATH OF ELIZABETH.

That the promises of the French King and of the Guises, *cannot give assurance of securitie unto the Queene and the Realme, much lesse make amends for her death, if she be made away.*

That the French *King cannot finde out the secret plots contrived against him at home, much lesse against the Queene of* England. *For that treason is closely handled, and therefore inevitable and unavoidable. If the wicked fact be once done, what will it doe good to challenge their promise? How may the losse for the death of an incomparable Prince be repaired or recompenced, and what remedy may bee found for the Republike giving up the ghost with her in a most lamentable confusion of all things.*

The hand-writings of the Guises, *who thinke it a meritorious act to dispatch them who are enemies to the* Pope, *and may very easily obtaine and get dispensations for their oath, be of small moment, or importance, or of none at all. And what* English *man is it that will accuse them*

them for killing the Queene ELIZABETH *after her death, and after that the Queene of* Scotland *being of the Family of the* Guiſes, *is enſtalled in the Crowne of* England? *What? can one recall her backe unto life thereby?*

But in that the Ambaſſadors have called this judgement rigorous and extraordinary, *they have ſaid it without due conſideration (for as much as they have neither ſeene the proceſſe nor the probations) and have too bitterly taxed the Eſtates of the Realme of* England, *men of great account, choſen for their nobility, vertue, prudence and pietie: yea moreover, that they have abſolutely ſpoken ſuch like words, as if they came from the* French *King, very inconſiderately, making ſhew that they would feare with their threats and menaces, the Queene, & the Eſtates of the Realme. That the* Engliſh-*men are not accuſtomed to be terrified with threats of the* French-*men, from taking a courſe and meanes to eſtabliſh & ſettle their ſecurity, for as much as they in the meane time did not ſhew nor demonſtrate any fit or convenient way or meanes of averting or putting away the*

inſtant

instant and imminent dangers of England.

But the malicious and spightfull enemies of the Queene of *Scotland*, tooke occasions all they could of hastening her death, and caused (the more to affright Queene ELIZABETH, knowing well that in the greatest danger of safety, feare doth exclude all mercy) false rumours to be spread in every place of *England* daily, with fearefull out-cryes, *viz. That the* Spanish *Fleet were already arrived in the Haven of* Milford, *that the* Scots *had invaded* England, *that the Duke of* Guise *was landed with a strong army in* Sussex, *that the Queene of* Scotland *was escaped out of prison, and had levied many souldiers, that the Northerne men were up in rebellion, that there were other Ruffians, who had conspired to kill the Queene, and to burne the City of* London, *yea and that the Queene was dead*, and other things of like kinde, which either crafty people, or men afraid, use to faine in their owne conceits, or to increase out of an inbred desire or humour,

humour, to nouriſh and uphold rumors; and Princes, who are upon curioſity credulous, take quickly hold of.

By ſuch like bugges and formidable arguments, the Queenes minde wavering, and in great care, was by them drawne ſo farre, that ſhee ſigned letters, by which the mortall ſentence of death was commanded to be put in execution, and one of the chiefeſt perſwader (as the *Scots* ſay) was *Patrick Gray*, a *Scot*, ſent by the King of *Scotland* to diſſwade the Queene from putting his mother to death, who oftentimes would beat into the Queenes eares that old word (*Dead men doe no bite.*)

But ſhee being by nature ſlow in her doings, began to ballance in her minde, whether it were better to take her out of the way, or to ſpare her. Not to put her to death, theſe things moved her: *Her inbred clemencie, leſt ſhe ſhould ſeeme to uſe cruelty againſt a woman, and ſhee a Princeſſe, and alſo her kinſwoman, feare of*

of infamy with the posterity out of the histories, and the dangers hanging thereon, as well from the King of Scotland, *who should then come a step neerer unto the hope of* England, *as from the Catholike Princes, and desperate fellowes, who then would adventure on any thing.*

But if shee spared her, she foresaw no lesse dangers at hand. *That the Noblemen, who had given sentence against the Queene of* Scotland, *would closely purchase favour with her, and her some, not without her danger, that the rest of her subjects that were very carefull and desirous of her safety, would take it in evill part, when they saw themselves to have lost their labour, and thenceforth would neglect her safetie; many more would joyne themselves unto the profession of the Papists, and conceive greater hope, when they saw her conserved, as it were, by the decree of heaven, unto the hope of the Kingdome; that the Iesuits and Seminarists, when they see her sickly, and feare shee will not live long, would bestirre themselves to accelerate the death of Queene* ELIZABETH,

BETH, *that their Religion may bee reſtored.*

The Courtiers alſo without any intermiſſion, ſuggeſted theſe things and the like. *Why doſt thou ſpare her that is faulty and juſtly condemned, who ſubſcribed unto the* Aſſociation *for thy ſafety, yet forthwith reſolved to uſe cruelty againſt thee, being innocent, and by thy deſtruction, to tyrannize over Religion, the Nobility and Commons? That mercy is a royall vertue, but is not to be ſhewed to them that have no mercy. Let the vaine and idle ſhew of mercy give place, and yeeld unto wholeſome ſeverity. Your clemencie hath ſufficient cauſe of commendation in that it hath pardoned her once before: to ſpare her againe, is no other thing but to pronounce her not guiltie, and to condemne the Eſtates of the Realme of injuſtice; to encourage the hearts of her agents to haſten and accelerate the accompliſhment of their wicked deſignes, and to diſhearten the faithfull Subjects to conſerve the Common-wealth. Religion, the Common-wealth, thy owne incolumity, the love of thy Countrey, the oath*

of

of Association, *and the care of the Posterity, with conjoyned prayers doe beseech thee, that thee who overthroweth and subverteth all these severall things, may with all speed be rid and dispatched out of the way; and if they cannot obtaine their request at thy hands,* SAFETIE *it selfe cannot save and preserve this Common-wealth: and the Historians will publish to the succeeding age, that the most cleere shining dayes of* England *under Queene* ELIZABETH, *ended in a loathsome evening, or rather into an eternall darke night. The posterity will finde lack of our prudence, who (which thing doth accumulate our miserie) could see our evils, and could not prevent them, and will impute the masse of our miseries not so much to the malice of our adversaries, as to the careless and slothfull negligence of these times. Let not the life of one* Scottish *woman preponderate and be of more weight with thee, than the universall safetie of* England. *Let there be no stay nor delay used in so great a matter, for that forbearance and delay procureth danger: neither let space and time be given unto these wicked*

plotters

plotters and contrivers of miſchiefe, who now will ſeeke their laſt ſuccour and helpe by bold and audacious adventures, and beſides their impunitie, will hope for a reward for their miſchievous action. He that doth not beware to avoid a danger as much as he can, doth tempt God more than truſt in God. All the dangers whatſoever hang over our heads from forraine Princes, by her death will be taken away, neither can they hurt England, *but by her. What will and power ſoever the* Pope *hath to doe hurt, will ceaſe and come to nothing when ſhee is gone. The King of Spaine hath no reaſon to be angry, for that he himſelfe, for his owne ſecurity, made away his only ſon* Charles, *and at this time doth lye in wait to take away the life of Don* Antonio *the* Portugal, *to ſerve his owne ambition. The* French *doth religiouſly obſerve and keepe the amitie with* England, *and it alſo much concerneth his good, that by the ſpeedy death of the* Scottiſh *Queene, the hopes of the* Guiſes, *who relying and truſting upon the hoped and future power of their Kinſwoman, doe now more inſolently*

inſult

insult over their King. The King of Scotland, *both by naturall affection, and in respect of his honour, may indeed be grieved or disquieted, yet in his wisdome hee will expect rather to have things long after with security, than to have things in over-much haste with danger. And the neerer he is to his chiefest hope, the further forraine Princes will hold off from joyning to helpe him, for as much as it is familiar and ordinary for them, by one meanes or other, to stop and hinder the increasing power of another Prince at the beginning.*

They set before her eyes also domesticall examples, (for as much as that which is done by example, deserveth the more to be excused) *How the Kings of* England *carried themselves toward their Cousins and* Competitours *for their owne security; namely* Henry *the first toward* Robert *his eldest brother,* Edward *the third, or rather his mother, toward* Edward *the second,* Henry *the fourth toward* Richard *the second,* Edward *the fourth toward* Henry *the sixt, and his sonne* Edward *Prince of* Wales,

and

and toward his owne brother George *Duke of* Clarence, Henry *the ſeventh toward the Earle of* Warwick, *the young ſonne of the Duke of* Clarence, *Henry the eighth toward* De la Pole *Earle of* Suffolke, Margaret, *Counteſſe of* Sarisburie, *and* Courtney *Marqueſſe of* Exceter; *who every one for ſmaller matters, if the crimes be compared, were put to death and made away.* Neither did the Courtiers alone buzze theſe things into the Queenes head, but alſo ſome Preachers very earneſtly, and many of the Commons alſo out of hope or feare, exerciſed the fantaſie of their brains & wits too faucily & malapertly in this argument.

Amongſt theſe penſive thoughts which made the Queene ſo carefull and doubtfull, that ſhe delighted in ſolitarineſſe, and ſate without any cheere, and ſometimes without ſpeaking a word, and oftentimes ſighing, would mutter to her ſelfe, *Either beare it, or ſtrike home*; and out of ſome obſcure Embleme, *Kill, leſt thou be killed*, ſhe delivered to *Daviſon*, one of her Secretaries, letters

ſigned

signed with her hand, that a Mandate should be made under the great Seale of *England*, for the putting of her unto execution, which might be readie, if any danger were ready to fall, & commanded him not to communicate the matter to any man. But on the next day shee, whilest feare did not allow her owne counsell changing her mind, commanded *Davison*, by *William Killigrew*, that the Mandate should not be made up. He forthwith came to the Queene, and told her that the Mandate was made and sealed with the great seale: She chafing, reproved him for making such haste; nevertheless hee communicated the Mandate and businesse unto the Queenes Councellors, & perswaded them, who quickly beleeved that which they desired, that the Queen commanded that it should be put in execution without delay: *Beale*, than whom there was none more evill affected unto the Queene of *Scotland* for Religion, is sent with one or two executioners and letters, in the which au-

thoritie is given unto the Earles of *Shrewsburie*, *Kent*, *Darby*, and *Cumberland*, with others, that ſhe ſhould be put to death, according to the Lawes, (unknowing to the Queen) and although at that very time ſhee had ſignified unto *Daviſon*, that ſhee would take another way and courſe about the Queene of *Scotland*, yet he did not call *Beale* backe.

As ſoone as the Earles came to *Fotheringhay*, they came to her, with *Amias Poulet* and *Drewgh Drury*, in whoſe cuſtody ſhe was; and ſignified the cauſe of their comming, reading the Mandate, & in few words admoniſhed her to prepare her ſelfe unto death, for that ſhe was to die the next day. She without feare, and with a ſetled minde, anſwered, *I did not think that Queen* ELIZABETH *my ſiſter would have conſented unto my death, for I am not ſubject unto your Law; but ſince it is otherwiſe, death ſhall be unto me moſt welcome, neither is that ſoule worthy of the heavenly & everlaſting joyes, whoſe body cannot endure one blow of the hangman.* Shee requeſted

that

that shee might conferre with her Almoner, her Confessor, and with *Melvin* her Steward. They in plaine terms denied her confessor to come unto her; and the Earles commended the Bishop or Deane of *Peterburgh* for to comfort her; whom when she had rejected, the Earle of *Kent* being fiery hot in Religion, turned unto her, and amongst other words, broke out into these; *Thy life will be the destruction of our Religion, as on the other side, Thy death will be the life of the same.* Mention being made of *Babington*, she constantly and utterly denyed that she knew of his plots; left the revenge unto God. And being demanded of that which was done by *Nævus* and *Curlus*, shee asked if ever it was heard, that the servants were suborned and admitted as witnesses to the death of their Masters. When the Earles were departed, shee commanded them to make haste with her supper, that she might set things better in order. She supped sparingly and soberly, as her manner was. In supper time,

beholding her men and maid-ſervants mourning and weeping, with an undanted mind ſhe bade them be of good cheere, and to abſtaine from ſorrow, but rather to rejoyce, for that ſhe was to depart preſently out of an abyſſe of evill, and turning unto *Burgon* her Phyſitian, asked him if he did not obſerve that the force of truth was great. *They ſaid I muſt die, for that I was of counſel to kil the Queen; nevertheleſſe the Earle of* Kent *inſinuateth that there is no other cauſe of my death, but that they feare their Religion, by reaſon of me. Neither is my offence againſt the Queene, but their feare they have of me, hath haſtened and procured my death, whileſt many ſeeke privately their owne ends and purpoſes under the borrowed cloake of Religion and the publike good.* Toward the end of ſupper ſhee drinketh unto all her ſervants, who pledged her on their knees in their order, mingling their teares with the wine, & asking pardon for the neglect of their duty, as ſhee alſo of them. After ſupper ſhee read over her teſtament, readeth o-

v er

ver the inventory of her goods and moveables, and writ on them the names of them unto whom shee appointed them: unto some shee gave money with her owne hand. She writeth unto her Confessor, to pray unto God for her, and also she wrote letters of commendation unto the *French* King, and unto the Duke of *Guise*, for her servants. She went to bed at her ordinary houre, and slept certaine houres; being awaked, she spent the rest of the night in praiers.

The fatall day beginning to breake (*viz.* the VI. Ides of February) she apparelled her selfe neatlier and finer, as she used to be on Festivall daies, and calling her servants together, read over her will, and requested them to take in good part the legacies shee gave, since that her ability was not to bestow any more, and then setting her mind all upon God, with all humility, in her Chappell, besought him to give her his grace and favour,

vour, with sighs, teares, and praiers, untill the time that *Thomas Andrewes*, Sheriffe of the Shire, told her that she was to come forth. Shee came forth Majestically, in stature, beautie and shew, with a cheerefull countenance, matron-like apparell, and very modest, her head being covered with a linnen veile, and the same hanging very low, her beads hanging downe at her girdle, & carrying a *Crucifix* of Ivory in her hands. In the gallery the Earles and other Gentlemen received her, where *Melvin* her servant on his knees, and with tears in his eyes, lamented his fortune, that he should carrie this heavie and sad newes of the wofull death of his Lady into *Scotland*. Shee comforting him, said, *Doe not lament, but rather be glad, thou shalt straight-waies see* MARY STUART *delivered and freed from all cares. You may tell them that I die constant in my Religion, and firme in fidelity toward* Scotland *and* France, *God forgive them who have thirsted for my bloud,*

blond, as the Hart doth after the spring of water. Thou our God who art truth it selfe, and perfectly & thoroughly dost know the most secret corners of my heart, dost know how much I desire that the Realmes of England *and* Scotland *might bee united in one. Salute my Son, and certifie him, that I have done nothing that may be prejudiciall unto the Kingdome of* Scotland: *will him to keepe friendship with the Queene of* England; *and see that thou serve him faithfully.*

And then teares falling from her eies, shee bade *Melvin* farewell againe and againe. And turning to the Earles, shee requested *that her servants might be courteously used, and that they might enjoy those things which she had bequeathed them, that they might stand by at her death, and be sent into their Countrey with a safe-conduct.* They promised the former things, but the Earle of *Kent* shewed himselfe strange, fearing some superstition. Shee said, *Feare not, these wretches desire to give me their last farewell. I know my sister* ELIZABETH *would*

not deny me ſo ſmall a favour, as to have my maids to be preſent, if it be but for woman-hood ſake. I am moſt neere of kinne unto her, I come from King HENRY *the ſeventh, I am Queene Dowager of* France, *and the annointed Queene of* Scotland.

When ſhe had ſaid thus, and turned away, ſhe was permitted to have thoſe of her ſervants preſent whom ſhee would name. She nominated *Melvin*, *Burgoine* her Phyſitian, the Apothecarie and Chirurgion, and two maids, and others, of the which *Melvin* bore up her traine. So, the Gentlemen, two Earles, and the Sheriffe of the Shire going before her, ſhe came to the ſcaffold, which was ſet up in the upper end of the Hall, in the which was a chaire, a cuſhion, a blocke, and all covered with blacke cloth. As ſoone as ſhe ſate downe, ſilence being made, *Beale* read the commiſſion, and ſhe heard attentively, as if it had beene another matter. Then *Fletcher*, Deane of *Peterburgh*, began a tedious ſpeech unto her of the

the condition of her life formerly past, and the present, and that to come. Once or twice shee interrupted his speech, *and desired him not to trouble her, and protested that she was setled in the ancient Catholike Religion, and was ready to end her life in the same.* And when he perswaded her earnestly to do true penance, and with a firme faith, to put her hope in Christ, shee answered, *that she was borne and bred, and would now end her life in that Religion.* And unto the Earles, saying that they would pray for her, shee said, *shee would give them many thanks if they would pray with her, but I should offend much, if I did communicate in praier with you who are of another profession.* Then they bade the Deane to pray, and when the whole company there assembled praied together, shee falling on her knees, carrying the *Crucifix* before him in her hands together with her servants, prayed in Latine out of the *Office of our Lady.*

After the Deane had ended his prayers, Shee in the English

tongue commended unto God the Church, her sonne, and Queene ELIZABETH, and besought him to avert his indignation from this Isle, and professed that shee reposed her hope in the blood of Christ, (and lifted up the *Crucifix*) and desired all the company of heaven to make intercession unto him for her; she forgave all her enemies, and kissing the *Crucifix*, and signing her selfe with the Crosse, shee said, *As thy arms, O Christ, were spread abroad on the Crosse, so, with the stretched out armes of thy mercy receive mee, and forgive me my sinnes.* Then shee forgave the Executioners, who asked pardon. And when her maids had taken off her upper garments, shee hastening them, they cried out amaine, shee kissing them and signing them with the Crosse, and smiling bade them farewell. Her face being covered with a linnen cloth, lying on the blocke, shee said the Psalme, *In te Domine confido, ne confundar in æternum.* Then as shee stretched out her body, and

of-

oftentimes repeated, *In manus tuas Domine commendo spiritum meum*, her head was cut off at two blowes. The Deane saying aloud, *So let the enemies of Queene* ELIZABETH *perish*, the Earle of *Kent* saying the same, and the multitude sighing and grieving thereat. Her body was embawmed, and was after buried like a Prince in the Cathedrall Church of *Peterburgh*. And her funerals were kept most magnificently at *Paris*, at the charges of the *Guises*, who performed all the best offices of kindred for their Cousin, both alive and dead, to their great commendation.

In this lamentable manner ended her life MARY Queene of *Scotland*, the great grand-daughter of *Henry* the seventh, by his eldest daughter, in the XLVI. yeere of her age, and the XVIII. yeere of her captivity. A woman most constant in her Religion, adorned with a wonderfull piety toward God, wisedome above her sex, and was also very faire and beautifull: And

And is to bee accounted one of thoſe Princes, whoſe felicity was changed into adverſity. In her infancy ſhe was with ſtrife deſired for wife, by King *Henry* the eighth of *England*, for his ſonne *Edward*, and by *Henry* the ſecond, King of *France* for *Francis* the *Dolphin*. At the age of five yeeres ſhee was carried into *France*, and at the age of fifteene yeeres married unto the *Dolphin*. She flouriſhed, and was Queen of *France* one yeere and foure moneths. Her husband being dead, ſhee returned into *Scotland*, and was married againe unto *Henry Stuart* Lord *Darley*, and had by him IAMES, the firſt Monarch of great *Britaine*: Toſſed and turmoiled by *Murrey*, her baſtard brother, and other her ungrate and ambitious ſubjects, depoſed from her Kingdome, and driven to flie into *England*, and circumvented and entrapped (as men ſpeaking indifferently thinke) by ſundry *Engliſhmen*, carefull of the conſervation of their Religion, and of the ſafety of Queen

Queen ELIZABETH, and thrust forward by others, desiring much to restore the Romane Religion: and oppressed by the testimonies of her Secretaries who were absent, and (as it seemed) corrupted with rewards. Neere to the grave an Epitaph in the Latine tongue was affixed, and forthwith taken away.

Maria

Maria Scotorum Regina, Regis filia, Regis Gallorum vidua, Reginæ Angliæ Agnata, & hæres proxima, virtutibus regiis & animo Regio ornata, jure Regio, frustra sæpius implorato, barbara & tyrannica crudelitate, ornamentum nostri seculi, & lumen vere Regium extinguitur: eodemque nefario judicio & Maria Scotorum Regina morte naturali, & omnes superstites Reges, plebeii facti, morte civili mulctantur. Novum & inauditum tumuli genus, in quo cum vivis mortui includuntur, hic extat: cum sacris enim divæ Mariæ cineribus omnium Regum atque Principum violatam, atque prostratã Majestatem hic jacere scito; & quia tacitum regale satis superque Regis sui officii monet, plura non addo viator.

Which

Which may be Engliſhed thus:

Mary Queene of *Scotland*, daughter of a King, widow of the King of *France*, kinſwoman and next heire to the Queene of *England*, adorned with Royall Vertues, and a Princely ſpirit, having often, but in vaine implored the right of a Prince; the ornament of our age, and the true princely light is extinguiſhed by a barbarous and tyrannicall cruelty. And by the ſame wicked judgment, both *Mary* Queen of *Scotland* is puniſhed with a naturall death, and all Kings living are made common perſons, & puniſhed and made liable unto a civill death. A ſtrange and unheard kind of grant is here extant, in which the living are included with the dead, for with the aſhes of this bleſſed *Mary*, know thou that the Majeſty of al Kings and Princes lye here depreſſed & violated; and becauſe the Regall ſecret doth ſufficiently admoniſh Kings of their dutie, O Traveller I ſay no more.

Out

Out of this lamentable fortune of ſo great a Prince, the diſpoſition of the divine providence moſt evidently appeared (as ſome wiſe men have obſerved.) For thoſe things which the Queens, ELIZABETH and MARY, chiefly wiſhed and ſtudied to procure, by this meanes came to paſſe. Queene MARY (which alſo ſhee ſaid at her death) deſired nothing more earneſtly, than that the divided Kingdoms of *England* and *Scotland* might be united in the perſon of her deare ſon. And the other wiſhed for nothing more, than that the Religion by her eſtabliſhed in *England*, might bee kept and conſerved, with the ſafety and ſecuritie of the people. And that Almightie God did heare their prayers, *England* to her unexpected felicitie doth now ſee, and with great joy acknowledge.

As ſoone as word was brought to Queene ELIZABETH, that the Queene of *Scotland* was put to death, ſhe not thinking thereof, ſhe heard it, with great indignatiō, ſhe loo-

looked heavily and could not speak a word, and ready to swound for sorrow, in so much that she put on mourning apparell, and grieved exceedingly, and lamented very much. She caused her Councellors (being reproved & forbidden her presence) to bee examined, and commanded *Davison* to be brought into the *Star-Chamber*. And as soone as her dolour would permit her, she in great haste wrote this letter following unto the King of *Scotland* with her owne hand, and sent it by Mr. *Robert Cary*, one of the Lord of *Hunsdons* sonnes.

Deare brother, I would to God you did know, but not feele, with what incomparable griefe my mind is tormented and vexed, by reason of the lamentable event which hath befallen contrary to my mind and wil, which you shall understand fully by my Cousin; forasmuch as I cannot abide and endure to set it downe by writing. I beseech you that as God and many others can beare witnesse unto my innocency in this matter, so I desire you to beleeve, that if I had commanded it, I

would

would never have denied the ſame. I am not of that baſe mind, that for any terror, I ſhould feare to doe that which is juſt, or to deny it being done. I do not ſo degenerate from my Anceſtors, nor am I of ſuch an ignoble mind. But as it is not the part of a Prince to cover and cloake the ſenſe of his mind with words, ſo will I never diſſemble nor gloſe mine actions; but I will performe that they ſhall come to light, & appeare to the world in their colours. I would have you bee aſſuredly perſwaded, that as I know that this was done upon deſert, ſo if I had imagined it, I would not have put it over upon any other, neither yet will I impute that to my ſelfe, which I did not ſo much as thinke. Hee who ſhall deliver you theſe Letters, ſhall acquaint and impart other things unto you. As for mee, I would have you to beleeve, that there is none other who loveth you better, and beareth better affection to you, or that will have a more friendly care of you & your affairs. If any one ſuggeſteth, or putteth other things into your head, I would have you to think that he beareth more good will and affection to others than to you. God Almightie

mightie keepe you in health, and preserve you alwaies.

In the meane time that Mr. *Cary* was in his journey with these Letters, *Davison* was brought into the *Star-chamber*, before the Commissioners appointed, *viz. Christopher Wray*, Lord Chiefe Justice of the Kings Bench, made for that time Lord Keeper of the Privie Seale, the Archbishops of *Canterburie* and *Yorke*, the Earles of *Worcester*, *Cumberland*, and *Lincolne*, the Lords, *Gray* and *Lumley*; *James Croft* Knight, Controller of the Queenes House, Sir *Walter Mildmay*, Chancellor of the Exchequer, Sir *Gilbert Gerrard*, Master of the Rolles, *Edmund Anderson*, Lord Chiefe Justice of the Common Pleas, & *Roger Manwood*, Lord Chiefe Baron of the Exchequer. Before these Commissioners, *Popham* the Queenes Atturney, charged *Davison* with contempt against her Majesty, violation of his faith, and neglect of his duty; that whereas the Queene out of her inbred clemency, would not have the

Queene

Queen of *Scotland* though condemned to be put unto death, for cauſes knowne to her ſelfe, and not to be ſearched & pried into by others, could not be brought thereunto, neither by the eſtates of the Kingdome, nor by her Counſellors earneſtly urging her thereunto; nevertheleſſe, had commanded a *Mandate* to be made for her execution, to prevent dangers that might enſue, and had committed it unto the fidelitie and ſecrecie of *Daviſon*; He being her ſworn Secretary, forgetting truſt and dutie, and in contempt of her Majeſty, contrary unto which the Queene had commanded, had imparted it unto the Counſellors, and put it in execution, ſhee being utterly ignorant thereof.

Daviſon with great modeſty, and quietly, yet with a good courage anſwered, *That hee was ſorrie, that in a moſt juſt cauſe of the Queene of* Scotland, *and moſt weightie judgement againſt her, if ever there was any, that he ſhould trouble againe the Commiſſioners, if not with the loſſe, yet at the leaſt with the*

the impairing of his reputation, which hee esteemed above all other things: But hee was most agreeved that hee was charged to have offended most contemptuously against her Majesty, who the more she had bin bountifull to him, and he more bound for her bounty, his offence might seeme more hainous. If he should acknowledge himselfe guilty of the crimes objected, he should wrong his credit, which was dearer unto him than his life. If he should contest in his owne defence with the Queene, hee should doe a thing unworthy of the obedience of a subject, the duty of a servant, and the fidelity of a Secretary. He protested before God and the Commissioners, *That wittingly or willingly hee had done nothing in this thing, but that which hee was perswaded in his conscience the Queene willed: In the which if he had carried himselfe to doe any hurt, either by unskilfulnesse, or by negligence, he could not choose but be grievously sorrie, and undergoe willingly the censure of the Commissioners.*

As concerning particulars: when the

the Queene reproved him that he had sealed the *Mandatum* with the great Seale in such great haste; he affirmed, *That shee insinuated, but did not expresly bid him to keepe it to himselfe. Neither did he thinke that he committed any fault against the trust of silence put on him, since he never spake word of this matter, but unto the Privy Counsellors.* Unto that he did not call back the *Mandatum*, after that the Queene had signified unto him, that shee had changed her minde, he affirmed, *That it was agreed that it should be sent forthwith, and execution done, lest the Common-wealth or the Queene might take some harme.*

Hereupon *Egerton*, the Solicitor, began to presse *Davison* out of his owne confession, reading a peece thereof, but he requested him to read it all, and not this peece and that peece; but yet hee had rather it should not be read at all, for that therein some secrets not to be uttered were contained; and now and then interrupting him, he said, *That as he would not contest with the Queene,*

Queene, so he could not endure that his modesty should be any detriment unto the truth and his integritie. *Gaudy* and *Puckering*, Sergeants at Law, reproved him sharply with many words, that craftily hee abused the wisedome of the Counsellors, and that out of the confession of *Burghley* the Treasurer, unto whom doubting whether the Queene had assuredly determined of the execution to be done, he affirmed it very earnestly, as he did also unto the rest, who set their hands unto the letters of the manner of the execution. *Davison* with teares in his eyes, required the Lawyers not to presse him so vehemently: And wished them *to remember that hee would not contest with the Queene, unto whose conscience, and unto the censure of the Commissioners hee committed himselfe wholly.*

To conclude, by the generall censure of them, hee was fined at ten thousand pound, and imprisonment at the Queenes pleasure.

Davison besought the Commissioners

miſſioners to make interceſſion unto the Queene for him, *not for the honourable place of Secretarie, which he had, or his libertie, or for the diminiſhing of the fine impoſed, but that he might be reſtored unto her favour*, which yet hee never recovered, though ſhe oftentimes releeved his wants. So *Daviſon* an honeſt man without policie, and not skilfull in affaires of State, was brought, as moſt men thought, upon the Stage amongſt the States-men, to play his part a while in this Tragedie, and ſtraight had his diſguiſe pulled off, and as if he had failed in the laſt Act, thruſt from off the ſtage, and kept long in priſon, but not without the commiſeration of many. Now I have told what was publikely done againſt *Daviſon*; but how he excuſed himſelfe privately, take briefly out of his credit, and his Apologeticall Narration unto *Walſingham*.

He ſaith, *after the departure of the* French *and* Scottiſh *Ambaſſadors, the Queene of her owne minde commanded*

ded me to shew unto her the Mandate of the execution of the sentence against the Queene of Scotland. And it being shewen, shee willingly signed with her hand, and commanded it, being thus signed, to be sealed with the Great Seale of England, and jesting, said, Signifie this thing unto Walsingham, who was sick, yet I feare much that hee will dye for sorrow thereof. Moreover, she said that the causes of the delaying thereof, were, lest shee should seeme to be thought to be drawne thereunto upon violence or malice, when yet shee knew that it was very necessarie. Moreover, she blamed Powlet and Drury that they had not freed her of this care, and wished that Walsingham would try their mindes in this matter. On the next day, when it was sealed with the Great Seale, shee commanded by Killegrew that it should not be done; and when I had told her it was already done, shee reprehended so much haste, insinuating that some wise men thought another way might be taken. I answered that the course which was most just, was al-

wayes the beſt and moſt ſafe. But fearing ſhee would lay the fault upon me (as ſhee laid the death of the Duke of Norfolke *upon* Burghley*) I communicated all the matter unto* Hatton*, proteſting that I would not thruſt my ſelfe into ſo great a buſineſſe; he preſently imparted it unto* Burleigh*, Burleigh unto the reſt of the Counſellors, who all gave their conſent to the quick diſpatch of the execution, and every one vowed to ſtand to it, and to ſticke one to another: and ſent* Beale *with the* Mandate *and Letters. The third day after, when I perceived that her minde wavered, hearing her tell a dreame of the death of the Queene of* Scotland*, I asked if ſhe had changed her minde; ſhee ſaid no, but, ſaid ſhe, another way might have beene invented: and withall asked if any anſwer were come from* Powlet*. And when I had ſhewed his letters, wherein, in plaine termes, he refuſed to take upon him that which was neither honourable nor juſt; ſhee chafing, ſaid, that he and others, who had taken the oath of the* Aſſociation*, were perjured and forſworne men, as they who had promiſed*

mised many things, but would performe nothing. But I shewed her how unjust and infamous this would be, and into what danger shee brought Powlet *and* Drury. *For if shee approved and allowed the fact, shee should draw to her selfe both danger and dishonour, with the note of injustice; but if shee disavowed and disallowed the fact, she overthrew utterly those well deserving men and their posterity. And afterward she, on the same day the Queene of* Scotland *was put to death, slightly checked mee, that the execution was not done.*

What griefe and anger soever Queene ELIZABETH conceived, or made shew of, for the death of the Queen of *Scotland*, I am sure the King of *Scotland*, her only son, tooke it wonderfull heavily, who with the most admirable piety that could be in a sonne, reverenced his most deare mother, and mourned and lamented for her exceedingly. For he did not thinke that Queene ELIZABETH, in regard of the *mutuall love that was betweene them*, and the league of stricter friendship

lately made betweene them, neglecting the ſo many interceſſionsof Princes, would have delivered his mother, a Prince of equall eſtate, and her neereſt Couſin of the Royall bloud, into the hands of a baſe hangman. He ſuffered not Mr. *Robert Cary*, ſon to the Lord *Hunſdon* (who was ſent from *England* to excuſe the Queene, by laying the fault upon her Counſellors and *Daviſon*) to come into *Scotland*, and hardly would heare him by another man, and with much ſuit received the letters he brought: Called his Ambaſſadour out of *England*, and threatned revenge. And ſome there were that perſwaded him that other Princes of Chriſtendome would not let ſuch an injury done unto the Majeſty and Royall name of a King, goe unpuniſhed.

The Eſtates of *Scotland* who were aſſembled in great number, profeſſed that they were moſt ready to revenge the death of his mother, and to defend his right to the Crowne of *England*, yea and to ſpend their lives

lives and goods in the quarrell, and that they could not digeſt the injury done, not only unto the King, but alſo unto the whole Nation of the *Scots*.

Some there were who perſwaded the King to require aid of ſhips, and of a Navie of the King of *Denmarke*, unto whoſe daughter he began then to ſue for mariage.

Some who were addicted to the *Romane* Religion, ſuggeſted unto him, that he ſhould rather joyne with the Kings of *Spaine* and *France*, and with the *Pope*, and ſo he might with eaſe get the poſſeſſion of *England*. And above all things to give no credit unto the Proteſtants of *England*, who now ruled all, and cloſely plotted to deſtroy him alſo: whiſpering this in his eares, *He that hath killed the mother, will alſo kill the children if he can.*

Some there were who ſecretly adviſed him to keepe himſelfe as Newter openly, & to hold both the Proteſtants and Romaniſts in ſuſpence. For if that he ſhewed himſelfe

openly for the Proteſtants, the Romaniſts of *Europe* will lay all their plots againſt him, and would ſet up another prop and ſtay in *England* to his great danger.

Some alſo there were who adviſed him to keepe a firme peace with *England*, and not to put his certaine hope upon the uncertaine fortune of war. And to be conſtant in his religion, in the which if he once wavered, he ſhould neither get nor purchaſe friends, nor leſſen, nor diminiſh his enemies. Thus every man as their fancie gave, or their profit lead them, ſpake. But the King being more provident, and more wittie than his age gave him, uſed no haſte, which is alwaies blinde, but weighed their counſels in his minde conſiderately and maturely a long time, both with himſelfe and a very few others.

But Queene ELIZABETH by laying all the fault on *Daviſon*, and the raſh credulity of her Counſellors, ſo to mitigate his griefe and ſorrow by little and little, left the

the comfort given out of ſeaſon, might more exaſperate him, and ſo ſtayed untill his ſorrow leſſened by length of time, would ſuffer it ſelfe to be handled. But when ſhe ſaw the *French* eggeon the King to revenge, ſhe fearing leſt he by their policies, & upon a burning heat of revenge ſhould be drawn away from the Religion of the Proteſtants, and the friendſhip of the *Engliſh*, ſhe laboured with all her power to pacifie his minde, exulcerated, and in a manner alienated from her, by all meanes not unworthy of a Prince.

Therefore by her Meſſengers, and Agents, and after by the Lord *Hunſdon*, Governour of *Berwicke*, ſhee propoſeth theſe weightie and important Reaſons moſt diligently. *Firſt, what a dangerous thing it may be for him to breake into open warre againſt* England *for this cauſe, which ſeemed unto the Eſtates of* England *to bee as well neceſſary for the ſafety of the whole Iſland, as alſo moſt juſt. Then let him conſider if he be of abilitie to take ſuch a warre in hand, for as much as* England

was never better furnished with Military men and Leaders, with forces and riches; and Scotland *exhausted with intestine warres, never more weake. If he depended upon forraine aid, with what great difficulty, and how long it would be ere he can get it, and if he doe obtaine it, what successe can he hope for, since that* England *having the fleets of* Holland *and* Zealand *joyned thereunto, hath no cause to feare the most mightie and potent Kings of* Europe? *What hope can he place in the* French *King, or the King of* Spaine? *For as much as his power much increased and augmented by the accession and addition of* England, *may crosse or impeach their designes and purposes, for that his Religion may be so opposed unto their profession, that they cannot helpe and aid him, but with their owne losse and detriment. Neither can the* French *King see with a contented minde, the King of* Scotland *to be augmented with the Kingdom of* England, *for feare lest hee should with warre prosecute the ancient right of the* Englsh-men *in* France, *or else give helpe or succour unto the* Guises, *his*

Cousins,

Cousins, who at this time gape after the Realme of France. *But the King of* Spaine *without all doubt will doe all things to serve his ambitious humour, forasmuch as he vaunteth himselfe to be the first Catholike Prince of the blood Royall of* England, *and the stocke of* Lancaster, *though untruly. In respect of which, some Iesuits and others also endevoured to advance him, whilest the Queen of* Scotland *was yet living, unto the Crowne of* England, *as a man most fit to restore the* Roman *authoritie in* England *(the mother and the sonne being not respected nor regarded.) Moreover, they perswaded him, that she determined in her last Will and Testament, to bequeath the Kingdome of* England *unto this King of* Spaine, *if her sonne continued in the Religion of the Protestants.*

What may be the meaning of these things, and whereunto they may tend, and what aid and helpe can be hoped for from the King of Spaine, *the King may thereby see and perceive : And withall, if hee shall revolt and fall from his Religion, in the which he hath beene*

beene brought up, with what great ignominie he may precipitate and caſt head-long his ſoule into eternall damnation, and the whole Iland of Brittaine *into danger and deſtruction. Moreover, he is to conſider and be adviſed, leſt the Eſtates of* England, *who have given ſentence againſt his mother, doe not exclude him altogether from the right of Succeſſion, by a new ſentence, whoſe love, by yeelding and giving place unto neceſſity, and reſtraining the paſſionate motions of his minde, he may eaſily winne and purchaſe unto him, forasmuch as that which is done, cannot bee undone. And at his time he may poſſeſſe and enjoy quietly the moſt flouriſhing Kingdome of* England. *In the meane time, he may enjoy ſecuritie, and may ſeeme with al men, indifferent men, that have underſtanding and conſideration of things, to have received no blemiſh in his honour, for as much as when time was, he omitted no part of a moſt pious and vertuous ſonne toward his mother, and let him aſſuredly perſwade himſelfe, that the Queene of* England *would account and uſe him moſt lovingly and affectionately,*

fectionately, as if she were his own mother.

These things she caused to bee beaten into the head of the King of *Scotland*, & that he should not doubt but that his mother was put to death without her knowledge; and to confirme him in that opinion, shee determined to send unto him the sentence given against *Davison* in the *Starre-chamber*, under the hands of all the Commissioners, and also under the Great Seale of *England*: And also another instrument (to please him the more) signed with the hands of all the Judges of *England*, wherein they confirmed that the sentence given against his mother, was no hurt unto his right in succession, nor could be any prejudice unto the same.

And thus an end of this History.

FINIS.